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LIQUOR CONTROL COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held via Blue Jeans video conference, commencing at
9:06 a.m., on March 9, 2022.

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

CHAIRPERSON: LEON BOLOSAN
VICE CHAIR: JAMIE BECRAFT
COMMISSIONERS: ROBERTO ANDRION, JR.
AARON BOSWELL
JERRYBETH DE MELLO
SYLVIA HO
SNEHAL PATEL
STANLEY RUIDAS
BRUCE U'U

STAFF PRESENT:

DEPUTY CORPORATION COUNSEL: JENNIFER OANA
DIRECTOR: LAYNE N. SILVA
DEPUTY DIRECTOR: JARRETT KAHOOHANOHANO
LIQUOR CONTROL OFFICER: MARC WEISENFELD
PRIVATE SECRETARY: LIANNE SUZUKI

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(March 9, 2022, 9:06 a.m.)

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CHAIR BOLOSAN: Good morning, everyone. This is a meeting of the liquor control commission. It is Wednesday, March 9, 2022. The time is 9:06. And I am Leon Bolosan, the chair of the commission, and I will call this meeting to order. I'm going to do a roll call. Commissioners, please also indicate who, if anyone, is present with you at your location.

Vice Chair Becraft.

VICE CHAIR BECRAFT: Present and alone.

CHAIR BOLOSAN: Commissioner Andrion.

COMMISSIONER ANDRION: Mr. Chair, present, and I'm by myself.

CHAIR BOLOSAN: Commissioner De Mello.

COMMISSIONER DE MELLO: Present, and I'm by myself.

CHAIR BOLOSAN: Commissioner U'u.

COMMISSIONER U'U: Present, and also by myself.

CHAIR BOLOSAN: I don't see Commissioner Boswell, are you of any --

COMMISSIONER BOSWELL: I'm present and alone.

CHAIR BOLOSAN: Oh, okay. I don't see you on. Thank you very much. I apologize.

Okay. Commissioner Ruidas.

COMMISSIONER RUIDAS: Present and alone.

1 CHAIR BOLOSAN: Commissioner Ho.
2 COMMISSIONER HO: Present and alone.
3 CHAIR BOLOSAN: Thank you.
4 Commissioner Patel.
5 COMMISSIONER PATEL: I'm alone in my office, but I
6 do have staff working in the adjacent office.
7 CHAIR BOLOSAN: Okay. Thank you.
8 And the chair is present, and I'm here by myself.
9 I'm gonna call on Corp. Counsel Jen Oana.
10 CORP COUNSEL OANA: Present. Good morning.
11 CHAIR BOLOSAN: Good morning.
12 Director Layne Silva.
13 DIRECTOR LAYNE N. SILVA: Present.
14 CHAIR BOLOSAN: Jarrett Kahooohanohano.
15 DEPUTY DIRECTOR KAHOOHANO: Present.
16 CHAIR BOLOSAN: Marc Weisenfeld. Marc?
17 LCO WEISENFELD: Present.
18 CHAIR BOLOSAN: Lianne Suzuki.
19 MS. SUZUKI: Present.
20 CHAIR BOLOSAN: Did I miss anyone?
21 (No response.)
22 CHAIR BOLOSAN: Thank you.
23 Moving on to the agenda, the chair will entertain a
24 motion for approval of today's agenda, March 9, 2022. Do I
25 have a motion?

1 COMMISSIONER DE MELLO: Chair, I make a motion to --
2 for today's agenda.

3 CHAIR BOLOSAN: Okay. Commissioner De Mello moved
4 it. Second?

5 COMMISSIONER U'U: I second.

6 CHAIR BOLOSAN: Commissioner U'u seconded. Okay.
7 Calling for approval, I'm gonna do a roll call. Again, all
8 those in favor of the motion, say aye; to those -- to those
9 opposed, say nay.

10 Vice Chair Becraft.

11 VICE CHAIR BECRAFT: Aye.

12 CHAIR BOLOSAN: Commissioner Andrion.

13 COMMISSIONER ANDRION: Aye.

14 CHAIR BOLOSAN: Commissioner De Mello.

15 COMMISSIONER DE MELLO: Aye.

16 CHAIR BOLOSAN: Commissioner U'u.

17 COMMISSIONER U'U: Aye.

18 CHAIR BOLOSAN: Commissioner Boswell.

19 COMMISSIONER BOSWELL: Aye.

20 CHAIR BOLOSAN: Commissioner Ruidas.

21 COMMISSIONER RUIDAS: Aye.

22 CHAIR BOLOSAN: Commissioner Ho.

23 COMMISSIONER HO: Aye.

24 CHAIR BOLOSAN: Commissioner Patel.

25 COMMISSIONER PATEL: Aye.

1 CHAIR BOLOSAN: And the chair votes aye.

2 Motion carried.

3 Public Testimony: With regards to written
4 testimony, the commissioners were all given the written
5 testimony submitted for this meeting. For oral testimony,
6 each testifier will be limited to two minutes on each agenda
7 item with one additional minute to conclude. Testifiers via
8 video are asked to sign up using the chat function by sending
9 a direct message to the commission secretary providing your
10 name and the item you will be testifying on. Testifiers via
11 phone will be called by the chair after video testimony is
12 finished. The meeting chat room is only available for
13 individuals to make known their desire to testify; no other
14 comments are allowed, please. Except for commissioners, those
15 attending the meeting are to mute their audio and video unless
16 called upon by the chair to speak. Those who have signed up
17 to testify will be called by the chair to offer their
18 testimony, at which time they can unmute their audio and
19 video. After completing their testimony, the testifier will
20 mute their video. An individual's request to testify may be
21 deemed withdrawn if the individual does not answer when called
22 to testify.

23 Lianne, do we have any testifiers?

24 MS. SUZUKI: Yes, we do, Chair.

25 Javier Barberi, he wishes to testify on the

1 Director's Report, Items 1 and 2.

2 CHAIR BOLOSAN: Okay.

3 MS. SUZUKI: Excuse me, just Item 1.

4 CHAIR BOLOSAN: Is that on our agenda? What he's
5 testifying to?

6 MS. SUZUKI: Director's Report, Item 1, the Update
7 on Public Health Emergency Rules.

8 CHAIR BOLOSAN: So, okay, then we take his
9 testimony, then.

10 VICE CHAIR BECRAFT: Chair.

11 CHAIR BOLOSAN: Vice Chair.

12 VICE CHAIR BECRAFT: Thank you. Do we want to just
13 wait for his testimony until we get to that agenda item, or do
14 we want to open up that area already?

15 CHAIR BOLOSAN: Okay. If -- Members, are you okay
16 with that?

17 COMMISSIONER U'U: (Gesturing.)

18 CHAIR BOLOSAN: Okay. Go ahead, Commissioner U'u.

19 COMMISSIONER U'U: You know, if it's convenient for
20 him, either works for me, you know, either he can do it now --
21 I think that will be more convenient, potentially, for the
22 testifier. Or, you know, up to you guys, I'm good either way.

23 CHAIR BOLOSAN: Okay. Vice Chair, you got anything
24 to say?

25 VICE CHAIR BECRAFT: I was only thinking that if we

1 open up that can of worms now, there might be a lot of
2 discussion and stuff.

3 CHAIR BOLOSAN: Okay.

4 VICE CHAIR BECRAFT: And we're just gonna be out of
5 order, but I too am all about convenience, though.

6 CORP COUNSEL OANA: So the testifier -- excuse me.
7 There should really be no discussion during public testimony.
8 You guys receive testimony. You can ask questions, but the
9 discussion really happens during the agenda item. So you can
10 take the testimony now, but there really should not be any
11 discussion of the agenda item.

12 VICE CHAIR BECRAFT: Okay. The question for -- the
13 question for corporation counsel, if it's -- if that's the
14 situation, then I wouldn't be able to question the testifier,
15 is that what you're saying?

16 CORP COUNSEL OANA: You can question the testifier,
17 but there's no real discussion. You know, the discussion
18 happens during the agenda item. This is just you guys
19 receiving input from the public.

20 VICE CHAIR BECRAFT: Okay. Well, I still reiterate
21 my position, then. If we're gonna have a discussion -- if
22 we're gonna be limited -- why limit ourselves? Let's do it
23 when it's under that umbrella, so we don't violate any laws or
24 whatever, we can have full discussion, full question and
25 answers, so I just think it would be best if we get that

1 public testimony at that time.

2 CORP COUNSEL OANA: And you may want to ask the
3 testifier when he wants to testify. If you're gonna allow the
4 testimony to be within the agenda, you may want to leave it to
5 the testifier to decide because they might not be able to hang
6 around.

7 CHAIR BOLOSAN: Okay. We can receive the testimony
8 but no discussion. Okay.

9 COMMISSIONER DE MELLO: So I have a question.

10 CHAIR BOLOSAN: Okay. Go ahead, Commissioner De
11 Mello.

12 COMMISSIONER DE MELLO: So, basically, we are
13 changing the agenda if we do that, and what Jamie stated, we
14 need to follow the agenda so the person who is gonna testify
15 would fall in order. So I'm with Jamie, too, stay with the
16 agenda --

17 CHAIR BOLOSAN: Okay.

18 COMMISSIONER DE MELLO: -- so there's no confusion.

19 CHAIR BOLOSAN: I'd like to take opinion from
20 Commissioner Patel.

21 COMMISSIONER PATEL: Thank you, Chair. I think at
22 this time we probably could have already heard the testimony
23 just even discussing this. We should -- we should give, out
24 of respect for whoever's in front of us here testifying, the
25 time to testify within their time. So if he wants to testify

1 now, I'm okay with it.

2 CHAIR BOLOSAN: Okay.

3 COMMISSIONER PATEL: The discussion should happen
4 during the agenda item, as corp. Counsel mentioned, so --

5 CHAIR BOLOSAN: Okay, all right. I think we're
6 gonna do that without no discussion, so we just receive the
7 testimony.

8 You go ahead, sir.

9 MR. BARBERI: Can you hear me?

10 CHAIR BOLOSAN: Yes. Go ahead.

11 MR. BARBERI: Okay. Aloha, my name is Javier
12 Barberi; I'm one of the owners at Mala Ocean Tavern. Thank
13 you for taking the time to listen to me today. We, along with
14 ten other small businesses, were told last week that we'd be
15 losing our temporary outdoor dining space on March 25th
16 because the COVID and emergency proclamation would be over.
17 Losing our outdoor spaces poses a large problem for our small
18 establishments because we have built our business models
19 around these outdoor areas. And March 25th was not enough
20 time for our restaurant because it's booked weeks out in
21 advance. We'd have to call guests; cancel their reservations.
22 Plus, guests do not want to sit inside. There are still many
23 people concerned with COVID, and they refuse to sit inside and
24 be right up against people. What I don't understand is if
25 these temporary spaces had been approved and they're

1 benefiting small businesses immensely, and guests love it, why
2 are we so quick to remove them? It doesn't make any sense.

3 And I know what everyone's gonna say, they're gonna
4 say, Javier, you knew these spaces were temporary, you should
5 accept this and go back to the way -- how things were. Well,
6 unfortunately, the world has changed. We have hired
7 additional staff since our dining room expanded. Should we
8 fire all of them? We purchased tables; we purchased chairs,
9 we purchased umbrellas, we purchased planter boxes, we
10 purchased outdoor lighting, we purchased plates, we purchased
11 knives, forks, glasses, the list goes on. What do we do with
12 all of this inventory? Again, it doesn't make any sense.

13 Well, a few days later, we received a message from
14 Jarrett from the liquor department, and he said that we would
15 have until June 25th to keep these spaces. This was a miracle
16 from the heavens, we all breathed a sigh of relief, but it
17 poses one small issue still. The only two things that we
18 would need to keep these temporary spaces and make them
19 permanent is a clearance letter from the planning department
20 and a lease amendment from our landlords. I have that
21 amendment from my landlord; I got it a year ago. And three
22 months ago, I applied for an SMA permit to get the space to
23 become permanent because our guests love it. The issue is, as
24 you guys all know, SMA clearances, they don't happen in weeks
25 or months; they can take up to years. It's not a short-lived

1 process and especially for restaurants near the ocean, which
2 is the majority of restaurants on Maui since all the setbacks
3 have changed.

4 So to conclude, I ask for more time in the event
5 that our SMAs aren't approved in time by June 25th. That's
6 it. Please allow these ten businesses that almost didn't
7 survive this pandemic an extension if they are in the middle
8 of this process when June 25th rolls around because, believe
9 me, June 25th will come sooner than we think. Thank you very
10 much for your time and consideration.

11 CHAIR BOLOSAN: Thank you, Javier, for your
12 testimony. Just to let the members know that I believe there
13 is a present investigation on your premises, so we don't want
14 to comment. Thank you for your testimony.

15 Lianne, next testifier.

16 MS. SUZUKI: We don't have anyone else.

17 CHAIR BOLOSAN: Okay. If not, I see Vice Chair
18 raise his hand. Go ahead.

19 VICE CHAIR BECRAFT: Thank you. Thank you for
20 coming in and testifying. It's very important for myself and
21 the rest of our board members to hear, you know, what's going
22 on 'cause we don't -- we don't have privy to everything that's
23 happening, and I was unaware that you were sent any letters.
24 Personally, it was my understanding that we were still looking
25 at how we were gonna address this. So when you say the SMAs,

1 I understand what those are, but are you familiar with any
2 laws that -- in regards -- because the SMA, does that prohibit
3 us from giving you guys an extension while waiting for that
4 process? And then it's a two-part question; the second is:
5 Have you already notified the department of liquor that -- and
6 given them proof of that on, you know, a certain day you have
7 applied for your SMA permits, and that process is, in fact,
8 going on?

9 MR. BARBERI: The first question in terms of the
10 SMA, basically, we have to apply for the SMA from planning in
11 order to receive a -- or to receive this permanent extension
12 of premise from liquor. So we've been working with Michele
13 McLean from planning; I have an actual planner in the SMA.
14 I'm paying Aaron Abbott, a consulter that deals with shoreline
15 SMAs. I've been dealing with this process since the middle of
16 summer last year. We finally were able to submit our actual
17 SMA application in January, the very beginning of January of
18 this year, but it's a super long process. I've had all of
19 these people coming down to Mala to look at the shoreline, to
20 look at the building, to look at everything. It involves the
21 entire TMK, so it's not just Mala; it's actually Honu, it's
22 Frida's, it's half the parking lot of Aloha Mixed Plate.
23 Like, this is crazy, like they're -- they're having to go
24 through this massive process just to deal with this tiny
25 little extension of premise that just affects us over here.

1 The second part of your question where you asked
2 about notifying the liquor department, the liquor department
3 doesn't -- they're not asking me to show proof of this SMA
4 application in place; they don't care about that. The only
5 thing they care about is that by June 25th, I have already
6 submitted to them a clearance letter from planning along with
7 my amendment to my lease and along with my actual application
8 for the extension of premise. Obviously, I've gotta submit
9 that before June 25th, so all of that information has gotta be
10 in to liquor probably a month before June 25th, so we're
11 talking May 25th I have to have all of that in. Because
12 what's gonna happen is when it all gets submitted into liquor,
13 there's gonna be an issue, a t's not gonna be written, an i
14 won't be dotted, and it's gonna come back to me. I know this
15 because I've been in this, you know, doing this business for
16 six-seven years now, and a month, hopefully, will give me
17 enough time that by June 25th, I have everything submitted
18 correctly, and it can be, hopefully, approved through liquor.

19 If they ask me, if Jarrett guys ask me for my SMA
20 application, I can absolutely send it to them. I have my
21 application; I have my number. Aaron is the -- is my planner,
22 my SMA planner that's been assigned to my permit, so I can
23 definitely provide all of that information in order to show
24 them so that they could possibly extend me an extension come
25 June 25th because SMAs take forever.

1 VICE CHAIR BECRAFT: Okay. And one last question.
2 When were you notified that you'd be needing to shut down in
3 March and then, secondly, notified on the June, that it was
4 extended to June?

5 MR. BARBERI: We got a phone call from Kari on
6 Monday of last week. She called all the businesses, the ten
7 businesses, yeah, on Monday; and then Jarrett told us, hey,
8 really sorry, guys, we kind of jumped the gun a little bit,
9 it's actually gonna be the 25th, and then -- and then we got
10 another notification, hey, guys, it's actually -- this is,
11 like, from planning, I believe, from Michele McLean, and she
12 was like, you guys are actually -- yeah, she sent us an email,
13 and she was like, you guys are actually gonna get until the
14 25th to submit your applications in now. And I was like,
15 yeah, I have mine in now, I've had it in, but like I said,
16 it's an SMA, like it's not something that happens overnight,
17 unfortunately. And like I also said, the majority of
18 restaurants on Maui are in SMA areas because the setbacks have
19 all been changed. I mean, other than like Bev Gannon in
20 Haliimaile, like, we're -- you know, those restaurants
21 upcountry, every restaurant is in an SMA.

22 VICE CHAIR BECRAFT: I understand.

23 And, Chair, if I may, I have a question for
24 corporation counsel now.

25 CHAIR BOLOSAN: Okay. Go ahead, Vice Chair Becraft.

1 VICE CHAIR BECRAFT: Ms. Oana.

2 CORP COUNSEL OANA: Yes, Vice Chair.

3 VICE CHAIR BECRAFT: So is -- so -- and forgive me,
4 I'm not -- I don't want to violate any Sunshine Law. So is
5 this the time where I can ask the director a question or I
6 have to wait for us to call this line item?

7 CORP COUNSEL OANA: You have to wait.

8 VICE CHAIR BECRAFT: Okay.

9 CHAIR BOLOSAN: Yeah.

10 CORP COUNSEL OANA: You can ask the testifier
11 questions, but for any discussion with the director, you've
12 got to wait for the agenda item.

13 VICE CHAIR BECRAFT: Okay, I understand.

14 So you're gonna -- and last thing, Javier, if
15 you're -- I understand if you're busy. I'm not sure, did you
16 request to go first because you're busy?

17 MR. BARBERI: No, I didn't request. I just wanted
18 to put my name in the chat because that's what I was told to
19 do, but I'm happy to wait until we get to that area to discuss
20 it further. I cleared my schedule for this meeting; it's very
21 important to me.

22 VICE CHAIR BECRAFT: I would appreciate that because
23 I'm not able to explore it further at this point and --

24 MR. BARBERI: Okay.

25 VICE CHAIR BECRAFT: Thank you. I appreciate it.

1 Thank you for answering my questions.

2 That's all I have right now, Mr. Chair.

3 CHAIR BOLOSAN: Okay. Thank you, Vice Chair, and
4 thank you, Javier.

5 CHAIR BOLOSAN: I want to shoot a question like to
6 Jen because there is a present investigation on -- no? Okay.

7 VICE CHAIR BECRAFT: That is not relevant. We
8 should not be talking about that; that has nothing to do with
9 what we're doing here.

10 CHAIR BOLOSAN: Yeah, okay. Well, I just wanted to
11 shoot that to corp. Counsel, yeah. Okay.

12 VICE CHAIR BECRAFT: But we shouldn't -- it's like
13 unringing -- you can't unring a bell.

14 CHAIR BOLOSAN: Okay, all right. Sorry, apologize.
15 Okay. So we don't have no -- thank you, Javier.
16 We don't have any other testifier, Lianne?

17 MS. SUZUKI: None.

18 CHAIR BOLOSAN: No?

19 MS. SUZUKI: No.

20 CHAIR BOLOSAN: Okay. Then with no objection, I
21 will close public testimony. Okay?

22 So we'll move on to the minutes. The chair will
23 entertain a motion to approve the minutes of February 9, 2022.
24 May I have a motion?

25 COMMISSIONER PATEL: I make a motion, Chair, to

1 approve the minutes.

2 CHAIR BOLOSAN: Okay, Commissioner Patel.

3 COMMISSIONER DE MELLO: De Mello. Second.

4 CHAIR BOLOSAN: Okay. Second by Commissioner De
5 Mello. Okay, okay. I'm gonna do a roll call. Those of you
6 who are in favor, say aye; and those opposed, say nay.

7 Vice Chair Becraft.

8 VICE CHAIR BECRAFT: Aye.

9 CHAIR BOLOSAN: Commissioner Andrion.

10 COMMISSIONER ANDRION: Aye.

11 CHAIR BOLOSAN: Commissioner De Mello.

12 COMMISSIONER DE MELLO: Aye.

13 CHAIR BOLOSAN: Commissioner U'u.

14 COMMISSIONER U'U: Aye.

15 CHAIR BOLOSAN: Commissioner Boswell.

16 COMMISSIONER BOSWELL: Aye.

17 CHAIR BOLOSAN: Commissioner Ruidas.

18 COMMISSIONER RUIDAS: Aye.

19 CHAIR BOLOSAN: Commissioner Ho.

20 COMMISSIONER HO: Aye.

21 CHAIR BOLOSAN: Commissioner Patel.

22 COMMISSIONER PATEL: Aye.

23 CHAIR BOLOSAN: And the chair votes aye.

24 The vote is unanimous, the motion passes.

25 Okay. We're gonna go to -- let me look at -- okay.

1 I'm looking at my time, Commissioners. The reason why I --
2 before I move on, just to let you folks know that Commissioner
3 Andrion has overlapping meetings for today, and Commissioner
4 Ho requested that if she could be out by ten o'clock, that
5 would be nice.

6 And nice to see you, Vice Chair. At first, you told
7 me that you have a -- you're either gonna be here for the
8 meeting or late to the meeting, so --

9 VICE CHAIR BECRAFT: I was released from my subpoena
10 five minutes before I logged on.

11 CHAIR BOLOSAN: Okay, that's nice.

12 Okay. So I guess we have time yet. The reason why
13 that is, I'd like to go on, you know, covering some of the
14 items and if -- if it's okay for you guys, I'd like to reorder
15 later on our election of officers coming forward with no
16 objection from the members. Are you folks okay if we move the
17 election forward, you guys?

18 (No response.)

19 CHAIR BOLOSAN: Okay. You guys are okay with that.
20 So I guess I'd like to cover some of General Licensing Matters
21 yet until I see that the time is running out for everyone.
22 Okay. General Licensing Matter, requesting confirmation of
23 Items A through D.

24 VICE CHAIR BECRAFT: Mr. Chair.

25 CHAIR BOLOSAN: May I have a motion for

1 confirmation? Go ahead, Vice Chair Becraft.

2 VICE CHAIR BECRAFT: I make a motion to approve
3 Items A through D on General Licensing Matters.

4 CHAIR BOLOSAN: Okay. Motion by Vice Chair Becraft.
5 Second by?

6 COMMISSIONER DE MELLO: I second. De Mello seconds.

7 CHAIR BOLOSAN: Okay, Commissioner De Mello, you've
8 got it. Those who are in favor, say aye; and those opposed,
9 say nay.

10 Vice Chair Becraft.

11 VICE CHAIR BECRAFT: Aye.

12 CHAIR BOLOSAN: Commissioner Andrion. Commissioner
13 Andrion. Oh, okay. I see you raise your hand.

14 COMMISSIONER ANDRION: Yes, I'm sorry, I
15 (inaudible).

16 CHAIR BOLOSAN: All right.

17 Commissioner U'u.

18 COMMISSIONER U'U: Aye.

19 CHAIR BOLOSAN: Commissioner Boswell.

20 COMMISSIONER BOSWELL: Aye.

21 CHAIR BOLOSAN: Commissioner Ruidas.

22 COMMISSIONER RUIDAS: Aye.

23 CHAIR BOLOSAN: Commissioner Ho.

24 COMMISSIONER HO: Aye.

25 CHAIR BOLOSAN: Commissioner Patel.

1 COMMISSIONER PATEL: Aye.

2 CHAIR BOLOSAN: Okay. Thank you. And the chair
3 votes aye.

4 The vote is unanimously passed, the motion passes.

5 Moving on pretty quick, Preliminary Hearings,
6 Application No. 12, PB Restaurant Maui, LLC doing business as
7 at that Taqueria El Gallo Rosa. Okay. May I have the
8 applicant come forward?

9 MR. NAKAMURA: Good morning, Mr. Chair, Members of
10 the Commission, and Staff. Craig Nakamura, attorney on behalf
11 of the applicant. Before we go any further, I was just
12 notified that the applicant will be withdrawing this
13 application. I haven't had a chance yet to submit the
14 withdrawal letter, but I will do so.

15 CHAIR BOLOSAN: Okay, all right. So, thank you,
16 Craig.

17 MR. NAKAMURA: Thank you.

18 CHAIR BOLOSAN: So, I guess with that,
19 Commissioners, would you folks be okay with that?

20 COMMISSIONER PATEL: I'm okay with that.

21 CHAIR BOLOSAN: Okay, all right. Thank you.

22 Public Hearings: Application No. 06, Ohana Beverage
23 Company, LLC doing business as Ohana Beverage Company. Will
24 the applicant come forward, please?

25 MS. TSUKIYAMA: Good morning, Chair Bolosan,

1 Commission Members, and Department Staff. My name is Kristine
2 Tsukiyama, attorney for Ohana Beverage Company, and with me
3 today are Elizabeth Haak and Matthew Fleming, two of the
4 members and owners of Ohana Beverage Company.

5 CHAIR BOLOSAN: Okay, thank you. All right, thank
6 you. Do you have anything to add?

7 MS. TSUKIYAMA: Not at this time.

8 CHAIR BOLOSAN: Okay. The floor is open for public
9 testimony. Lianne, do we have any more --

10 MS. SUZUKI: No one signed up in the chat room.

11 CHAIR BOLOSAN: Okay. Thank you, Lianne.

12 If not, any question from the members of the
13 commission?

14 (No response.)

15 CHAIR BOLOSAN: Okay. I don't see none. May I have
16 a motion for approval?

17 UNIDENTIFIED SPEAKER: I'm in a meeting.

18 COMMISSIONER PATEL: Make a motion for approval,
19 Chair.

20 CHAIR BOLOSAN: Yes. Didn't I say that,
21 Commissioner Patel?

22 VICE CHAIR BECRAFT: We haven't had the reading yet.

23 CHAIR BOLOSAN: Oh, my goodness. Okay, so sorry,
24 apologize.

25 Okay. Marc, take it away, please.

1 LCO WEISENFELD: Yes. We have Application No. 06,
2 Ohana Beverage Company, LLC, doing business as Ohana Beverage
3 Company. The proposed premises is located at 840 Ulua Street
4 in Wailuku, Maui, Hawaii. I'm sorry, that's 173 Alamaha
5 Street, Unit 5. I made a mistake there. This is a public
6 hearing for a wholesale general.

7 The documents necessary for completing the remaining
8 application requirements for a liquor license are listed in
9 the summary report.

10 Notice of public hearing was published in the Maui
11 News on January 19th and 26th, 2022.

12 There are a total number of 52 owners and lessees
13 situated within 500 feet of the proposed premises.

14 The department did not receive any protests on this
15 application.

16 CHAIR BOLOSAN: Thank you, Marc.

17 To the applicant, is there anything that you want to
18 add at this point?

19 MS. TSUKIYAMA: Nothing else, Chair.

20 MS. HAAK: No, thank you.

21 CHAIR BOLOSAN: Okay.

22 MR. FLEMING: I think not. Thank you.

23 CHAIR BOLOSAN: Any question from the members of the
24 commission?

25 (No response.)

1 CHAIR BOLOSAN: No? Okay. If not, may I have a
2 motion for approval?

3 COMMISSIONER PATEL: Now I'll guess I'll make a
4 motion for approval, Chair.

5 CHAIR BOLOSAN: Okay, Commissioner Patel, you've got
6 the motion. And second by?

7 VICE CHAIR BECRAFT: I second, Chair.

8 CHAIR BOLOSAN: Vice Chair Becraft. You've got the
9 second. I'm gonna -- those of -- who are in favor of the
10 motion, say aye, and those opposed, say nay.

11 Vice Chair Becraft.

12 VICE CHAIR BECRAFT: Aye.

13 CHAIR BOLOSAN: Commissioner Andrion.

14 COMMISSIONER ANDRION: Aye.

15 CHAIR BOLOSAN: Commissioner De Mello.

16 COMMISSIONER DE MELLO: Aye.

17 CHAIR BOLOSAN: Commissioner Boswell.

18 COMMISSIONER BOSWELL: Aye.

19 CHAIR BOLOSAN: Commissioner U'u.

20 COMMISSIONER U'U: Aye.

21 CHAIR BOLOSAN: Commissioner Ruidas.

22 COMMISSIONER RUIDAS: Aye.

23 CHAIR BOLOSAN: Commissioner Ho.

24 COMMISSIONER HO: Aye.

25 CHAIR BOLOSAN: Commissioner Patel.

1 COMMISSIONER PATEL: Aye.

2 CHAIR BOLOSAN: And the chair votes aye.

3 The vote is unanimous, and the motion passes.

4 Congratulations.

5 MS. TSUKIYAMA: Thank you very, very much.

6 MS. HAAK: Thank you.

7 CHAIR BOLOSAN: Okay.

8 MR. FLEMING: Thank you, Commission.

9 CHAIR BOLOSAN: You're welcome.

10 Okay. Now, okay, where are we now?

11 UNIDENTIFIED SPEAKER: Application No. 8.

12 CHAIR BOLOSAN: Application No. 08, Highgate Hawaii
13 Concessions Company, LLC doing business as Royal Lahaina
14 Resort. May I have the applicants come forward?

15 MR. ICHIKAWA: Good morning, Mr. Chair,
16 Commissioners, Mr. Silva. Robert Ichikawa representing the
17 applicant. Also appearing with me is Stephen Hincks, manager
18 for the Royal Lahaina Resort.

19 MR. HINCK: Aloha.

20 CHAIR BOLOSAN: Okay. Welcome. To the applicants,
21 do you have anything to add at this point?

22 MR. ICHIKAWA: We've received no protests for the
23 application.

24 CHAIR BOLOSAN: Oh, thank you very much.

25 The floor is open for public testimony, and I

1 understand we don't have any testifiers. Okay? So I'm gonna
2 ask, is there any question from the members of the commission?

3 (No response.)

4 CHAIR BOLOSAN: Question or comments from the
5 members?

6 (No response.)

7 CHAIR BOLOSAN: Okay. I don't see --

8 COMMISSIONER ANDRION: Mr. Chair, I don't see any
9 questions for the commission. I'd like to have a motion to
10 approve Application No. 8, Highgate Hawaii, to be approved.

11 CHAIR BOLOSAN: Okay. Motion by Commissioner
12 Andrion. Second by?

13 COMMISSIONER RUIDAS: (Gesturing.)

14 CHAIR BOLOSAN: Commissioner Ruidas. I'm gonna --

15 COMMISSIONER RUIDAS: I had a question.

16 CHAIR BOLOSAN: Oh. Have we done the reading?

17 COMMISSIONER U'U: Yeah, somebody's gotta do the
18 reading.

19 LCO WEISENFELD: Yes, I will do the reading.

20 COMMISSIONER U'U: Read the report.

21 CHAIR BOLOSAN: Okay. I'm fumbling right here; I'm
22 so sorry, guys. I've got so many stuck in my head.

23 Okay, Marc, will you read?

24 LCO WEISENFELD: Okay. We have Application No. 08;
25 the applicant is Highgate Hawaii Concessions Company, LLC,

1 doing business as Royal Lahaina Resort. The proposed premises
2 is located at 2780 Kekaa Drive, Lahaina, Maui, Hawaii. The
3 public hearing is for a hotel license.

4 The documents necessary for completing the remaining
5 application requirements for a liquor license are listed in
6 the summary report.

7 Notice of public hearing was published in the Maui
8 News on January 19th and January 26th of 2022.

9 The preliminary hearing for this application was
10 held on January 12th, 2022.

11 There are a total of 797 owners and lessees situated
12 within 500 feet of the proposed premises.

13 The department did not receive any -- any protests
14 on this matter.

15 CHAIR BOLOSAN: Thank you, Marc.

16 To the applicants, at this point, do you have other
17 things to add?

18 MR. ICHIKAWA: Nothing, sir. Thank you.

19 CHAIR BOLOSAN: Thank you.

20 Okay. Any question from the members of the
21 commission? Commissioner U'u, I see you raise your hand.

22 COMMISSIONER U'U: Nope. Nope, that wasn't me.

23 CHAIR BOLOSAN: Okay.

24 VICE CHAIR BECRAFT: Mr. Chair.

25 CHAIR BOLOSAN: Yes, go ahead, Vice Chair Becraft.

1 VICE CHAIR BECRAFT: I make a motion to approve
2 Application No. 08.

3 CHAIR BOLOSAN: Okay. Vice Chair made the motion.
4 Any second?

5 COMMISSIONER U'U: I'll second.

6 COMMISSIONER ANDRION: I'll second, Chairperson.

7 CHAIR BOLOSAN: Okay. Commissioner Andrion
8 seconded. Okay. And -- okay, hang on. I'm kind of fumbling
9 today 'cause you folks understand it's my last meeting, right?
10 Pretty much, I'm eager to go.

11 (Laughter.)

12 CHAIR BOLOSAN: That's why I'm conducting the
13 meeting pretty quick today.

14 Okay. Now, okay, motion, so we -- I'm gonna say all
15 those who are in favor, say aye, and those opposed, say nay.

16 Vice Chair Becraft.

17 VICE CHAIR BECRAFT: Aye.

18 CHAIR BOLOSAN: Hang on, you guys.

19 Commissioner Andrion.

20 COMMISSIONER ANDRION: Aye.

21 CHAIR BOLOSAN: Commissioner De Mello.

22 COMMISSIONER DE MELLO: Aye.

23 CHAIR BOLOSAN: Commissioner U'u.

24 COMMISSIONER U'U: Aye.

25 CHAIR BOLOSAN: Commissioner Boswell.

1 COMMISSIONER BOSWELL: Aye.

2 CHAIR BOLOSAN: Commissioner Ruidas.

3 COMMISSIONER RUIDAS: Aye.

4 CHAIR BOLOSAN: Commissioner Ho.

5 COMMISSIONER HO: Aye.

6 CHAIR BOLOSAN: Commissioner Patel.

7 COMMISSIONER PATEL: Aye.

8 CHAIR BOLOSAN: And the chair votes aye.

9 The vote is unanimous, and the motion passes.

10 Congratulations.

11 MR. ICHIKAWA: Thank you very much.

12 CHAIR BOLOSAN: Okay. Now, let me see, the
13 meeting's going pretty quick, but I believe so -- okay.
14 Director Silva, do you think you can cover your administrative
15 affairs pretty quick before we go to the election?

16 DIRECTOR LAYNE N. SILVA: Chair, there's one more
17 application, Application No. 9, for public hearing. I believe
18 it's the same applicant.

19 CHAIR BOLOSAN: Okay.

20 DIRECTOR LAYNE N. SILVA: If you want to run through
21 that one.

22 CHAIR BOLOSAN: Yeah, okay. Okay, Application No.
23 09. Marc?

24 LCO WEISENFELD: Yes. This is Application No. 09,
25 Highgate Hawaii Concessions Company, LLC doing business as

1 Royal Trading Company. The proposed premises is located at
2 2780 Kekaa Drive, Lahaina, Maui, Hawaii. The public hearing
3 is for a retail general license.

4 Documents necessary for completing the remaining
5 application requirements for a liquor license are listed in
6 the summary report.

7 The notice of a public hearing was published in the
8 Maui News on January 19th and January 26th of 2022.

9 There are a total of 413 owners and lessees situated
10 within 500 feet of the proposed premises.

11 And the department did not receive any protests on
12 this matter.

13 CHAIR BOLOSAN: Okay. Thank you, Marc. Thank you.

14 To the applicant, do you have anything else to add?

15 MR. ICHIKAWA: Yes. Robert Ichikawa representing
16 the applicant, and also present is Mr. Stephen Hincks, the
17 general manager. We received no protests against the
18 application. Thank you.

19 CHAIR BOLOSAN: Thank you, Robert.

20 The floor is open for public testimony, but we don't
21 have at all. Okay. Is there any question from the members of
22 the commission, please?

23 (No response.)

24 CHAIR BOLOSAN: If not, may I have a motion for
25 approval?

1 COMMISSIONER ANDRION: Mr. Chair, Roberto Andrion.
2 Motion to approve Application No. 9, Highgate Hawaii
3 Concessions Company or the Royal Trading Company.

4 CHAIR BOLOSAN: Thank you, Robert, for making the
5 motion.

6 VICE CHAIR BECRAFT: (Gesturing.)

7 CHAIR BOLOSAN: I see Vice Chair Becraft raise his
8 hand.

9 VICE CHAIR BECRAFT: Yes, second.

10 CHAIR BOLOSAN: Seconded by Vice Chair Becraft. All
11 those who are in favor, say aye; and those opposed, say nay.
12 Vice Chair Becraft.

13 VICE CHAIR BECRAFT: Aye.

14 CHAIR BOLOSAN: Commissioner Andrion.

15 COMMISSIONER ANDRION: Aye.

16 CHAIR BOLOSAN: Commissioner De Mello.

17 COMMISSIONER DE MELLO: Aye.

18 CHAIR BOLOSAN: Commissioner U'u.

19 COMMISSIONER U'U: Aye.

20 CHAIR BOLOSAN: Commissioner Boswell.

21 COMMISSIONER BOSWELL: Aye.

22 CHAIR BOLOSAN: Commissioner Ruidas.

23 COMMISSIONER RUIDAS: Aye.

24 CHAIR BOLOSAN: Commissioner Ho.

25 COMMISSIONER HO: Aye.

1 CHAIR BOLOSAN: Commissioner Patel.

2 COMMISSIONER PATEL: Aye.

3 CHAIR BOLOSAN: And the chair votes aye.

4 The vote is unanimous, and the motion passes.

5 Congratulations.

6 MR. ICHIKAWA: Thank you very much.

7 MR. HINCK: Thank you. Aloha.

8 CHAIR BOLOSAN: Thank you.

9 Okay. Before we do the reorder, may I have
10 Commissioner Andrion and Commissioner Ho, are you running out
11 of time to go to your other engagement right now?

12 COMMISSIONER ANDRION: No, Mr. Chair. I basically
13 canceled -- not canceled, but I asked for an excusal on the
14 next meeting, so I'll be here throughout.

15 CHAIR BOLOSAN: Okay. Thank you, Bobbie.

16 What about Commissioner Ho?

17 COMMISSIONER HO: You know, actually, I did the same
18 thing, so I postponed the meeting until 12:30. Hopefully, at
19 twelve o'clock I'll be off this meeting.

20 CHAIR BOLOSAN: Okay.

21 COMMISSIONER HO: So thank you.

22 CHAIR BOLOSAN: Aren't we lucky, then? Okay. So
23 we're just gonna follow our regular agenda at this moment
24 then. We have Director's Monthly Report. May we have
25 Director Silva.

1 DIRECTOR LAYNE N. SILVA: Thank you, Mr. Chair.
2 Good morning, Members.
3 Director's Monthly Report, Item No. 1 is the Update
4 of Public Health Emergency Rules Effective March 2nd, 2022,
5 Repeal, and Public Health Emergency Rules Effective February
6 21st, 2022. We're just gonna touch on this real quick because
7 I think we'll get more into detail when we get into Item B of
8 Administrative Affairs. But this is just to inform everyone
9 that as of effective March 2nd, 2022, Mayor Victorino has
10 repealed all Public Health Emergency Rules for the island of
11 Maui. Those were the rules that had essentially deputized the
12 department of liquor control to enforce the Public Health
13 Emergency Rules as well as assist the department of health in
14 enforcing those rules and the Maui Police Department. So,
15 yeah, this is just to notify the commission that the Public
16 Health Emergency Rules have been repealed. And if anyone has
17 any questions regarding that, we can discuss. I believe this
18 is the item that Javier was testifying on.

19 VICE CHAIR BECRAFT: Mr. Chair.

20 CHAIR BOLOSAN: Go ahead, Vice Chair Becraft.

21 VICE CHAIR BECRAFT: So I have a question for
22 corporation counsel. Is this when we address Javier or is it
23 as the director was saying, do we wait for B?

24 CORP COUNSEL OANA: So with regard to B, I've read
25 the emergency rules that you guys adopted that was based on

1 the governor's proclamation and the mayor's rules, and I don't
2 see that the testifier's issue belongs in B, so I agree with
3 the director, I believe it pertains to this Item 1A -- A1.

4 VICE CHAIR BECRAFT: Okay. And, Javier, are you
5 still on the line?

6 CHAIR BOLOSAN: Vice Chair, he is.

7 VICE CHAIR BECRAFT: Okay, yeah. Just in case, as a
8 resource, I'd ask that you be a resource person in this
9 discussion.

10 So I want to clarify a few things. And so that
11 everybody's up to speed, I think everybody knows that we --
12 like, I meet with the director, you know, during the month and
13 I have met with him prior and had a discussion, and I think it
14 goes around this subject, and so I want to find out what
15 exactly went on. It was my understanding that when we spoke
16 that, yes, the rules had been repealed, but not in totality.
17 Like, the governor -- so everybody understands, the governor
18 does all the rules, actually, correct, or at least signs off
19 on them. The governor directs everything. If the county
20 wants to do something, they have to -- the mayor has to make
21 his -- his proposal, send it to the governor to be signed off
22 on. So, ultimately, the governor is making all -- you know,
23 signing off and/or making all the rules. Is that an accurate
24 description?

25 DIRECTOR LAYNE N. SILVA: Is that directed to me,

1 Jamie?

2 VICE CHAIR BECRAFT: Yes.

3 DIRECTOR LAYNE N. SILVA: Yes. However, I believe
4 the subject matter that Javier is mentioning was something
5 that was specific to a memo that was put out by Mayor
6 Victorino specific to Maui County. How it would fall under
7 the blanket of the governor's proclamation, I don't know. All
8 I do know is that the mayor put out a memo -- and this is
9 specifically regarding the temporary extensions of premises
10 based on COVID-19. The mayor put out a memo that allowed for
11 some of the requirements to be waived by the department of
12 fire, the department of planning, the department of liquor
13 control in order to allow for premises that were interested to
14 extend beyond the boundaries of their premises. This
15 allowance was, it is my understanding, governed by the mayor's
16 memo.

17 Now, as far as, you know, beyond that, the umbrella
18 of the governor's proclamations, I really couldn't tell you
19 because I wasn't involved in the inception of it and how they
20 devised that allowance. Corp. Counsel probably would have to,
21 you know, explain it there if they're aware of how that
22 happens. But in relationship to the governor's proclamation,
23 I don't know how it directly affects.

24 VICE CHAIR BECRAFT: Okay. I -- my recollection
25 of -- during our conversation, my point was that we're -- we

1 still have mask mandates, we're still under COVID.

2 DIRECTOR LAYNE N. SILVA: Yes.

3 VICE CHAIR BECRAFT: We're not -- not a hundred
4 percent of this has been repealed. We're not -- we still have
5 rules and stuff as a result of COVID, correct?

6 DIRECTOR LAYNE N. SILVA: Yes.

7 VICE CHAIR BECRAFT: Okay. So as a result of that,
8 I know -- I thought, it was my understanding -- maybe I'm
9 wrong, but I thought that -- well, speaking the last time,
10 it -- being as we were still under -- technically under COVID,
11 that I felt we may have the option to extend this, and it was
12 that area. And I thought we would explore that and --

13 DIRECTOR LAYNE N. SILVA: Well, just to explain,
14 this -- and that actually is what we're gonna cover in Item B.
15 What you're talking about right now, I believe, is the
16 department of liquor control's emergency rules that were put
17 in place by the liquor commission in regards to the COVID.
18 It's the department of liquor control's emergency rules that
19 were in place.

20 VICE CHAIR BECRAFT: Well, it was my understanding
21 that --

22 DIRECTOR LAYNE N. SILVA: This -- what we're talking
23 about right now is specific to the mayor's memo that was not
24 included as part of the liquor commission's emergency rules.

25 VICE CHAIR BECRAFT: Okay, thanks. I'm trying to

1 connect the dots for me. I'm trying to actually apply it
2 directly to Javier's situation because -- and I'm -- I'm
3 assuming that when we're speaking, we're speaking of --
4 directly about Javier's permit because -- is his the one that
5 had -- the landlord had written five days following the
6 repeal, they no longer, is that the one?

7 DIRECTOR LAYNE N. SILVA: Yes.

8 VICE CHAIR BECRAFT: So that's what you and I were
9 speaking about on Wednesday?

10 DIRECTOR LAYNE N. SILVA: Yes.

11 VICE CHAIR BECRAFT: So it was my understanding at
12 our meeting that no final notices of "you shall cease and
13 desist" -- because I know we had spoke, I said, well, if we
14 have to do that, I hope that -- I hope that we're sending out
15 warnings and letting them know way ahead of time.

16 DIRECTOR LAYNE N. SILVA: Yes.

17 VICE CHAIR BECRAFT: But if I'm hearing Javier
18 correctly, during our meeting, you had already sent out a
19 cease and desist.

20 DIRECTOR LAYNE N. SILVA: Yes. That was sent out in
21 error, which is why we reached out to the licensees that were
22 affected to inform them that the actual extension had been
23 extended to the end of June, is my understanding.

24 VICE CHAIR BECRAFT: Okay.

25 DIRECTOR LAYNE N. SILVA: Now, that extension is

1 being allowed via the mayor's office because that was
2 something that falls directly under the mayor's memo.

3 VICE CHAIR BECRAFT: Okay.

4 DIRECTOR LAYNE N. SILVA: So we and the department
5 of liquor control really has no control over that --

6 VICE CHAIR BECRAFT: Well, that's my next --

7 DIRECTOR LAYNE N. SILVA: -- other than what we're
8 being allowed to do via the mayor's memo.

9 VICE CHAIR BECRAFT: And that's my next question,
10 is -- and I'm okay, you know, errors happen, I'm not -- I'm
11 not trying to pick on an error, but who sent out the cease and
12 desist letter that you shall stop? Was that you or was that
13 somebody else in your office that you didn't have knowledge
14 of?

15 DIRECTOR LAYNE N. SILVA: Well, that was someone
16 else in the office. I was actually out of the office on that
17 day. And understandably, when the mayor, you know, basically
18 out of the blue repealed the Public Health Emergency Rules,
19 the initial reaction was to notify the applicants as soon as
20 possible in order to attempt to give them some kind of notice
21 in advance. It wasn't until after that notice was put out
22 that we were informed that it would be extended to the end of
23 June. And at such time, once we were informed of that, we
24 immediately contacted those licensees to inform them as well.

25 VICE CHAIR BECRAFT: Okay. And, Javier, if you

1 would please -- oh, I'm sorry. Bruce, go ahead. I'm hogging
2 the time.

3 COMMISSIONER U'U: No, no. Just a question, Layne.
4 You said you called all the licensees that were affected. How
5 many licensees are affected by this?

6 DIRECTOR LAYNE N. SILVA: Well, in reality, there
7 were nine extension of premises permits issued by the
8 department.

9 VICE CHAIR BECRAFT: Yeah, but that -- were they
10 all -- in our meeting, you didn't say they were all affected.
11 It was Javier's because the five days was written into his
12 thing.

13 DIRECTOR LAYNE N. SILVA: And not to get into too
14 many detailed specifics, but, yeah, a lot of it depends on
15 what type of authorization that was submitted at the time of
16 the extension. However, because it is being extended, you
17 know, our intent is to honor that extension, and I believe the
18 idea is the time given is an allowance to help the licensees
19 attempt to gain a permanent extension in places where it's
20 allowed to, to be. Javier is not wrong when he's saying that
21 an SMA is a long, drawn-out process; it is, that's my
22 understanding. I couldn't tell you anything about it, how to
23 apply for it, or what the requirements are other than in my
24 time here, I have -- like Javier said, a lot of our licensees
25 do fall within these SMA areas, you know, beautiful beachfront

1 property, beautiful dining overlooking the ocean, and that is
2 one of the repercussions, I guess may be a proper word to use,
3 when describing that as well.

4 VICE CHAIR BECRAFT: Javier, when did you receive
5 your first and then the second notice, the first one that was
6 a mistake and then the second one that's saying, you know, in
7 June or something that -- I don't recall the day, but that
8 you're extended to? Do you recall?

9 MR. BARBERI: Monday, Monday of last week is when
10 Kari called me, and then I was, like, freaking out and I,
11 like, was calling and emailing everyone just to see what --
12 what can be done about all of this. And then Tuesday, I went
13 to the liquor office in Kahului, and then that's when Jarrett
14 told me that they had made an error and we were actually
15 getting till March 25th, which was good because that gave us a
16 little time to call all the reservations and cancel them. And
17 then I think it was, like, Wednesday -- I have an email, I
18 think it was Wednesday. So that was Tuesday, then I think
19 Wednesday is when Michele McLean sent us all an email saying
20 you guys will actually have until June 25th to have -- if
21 you're gonna apply for, like, a permanent extension, you have
22 until June 25th to handle that. And she sent, like, a really
23 nice email, like, get it in. Like, get your stuff in, get
24 everything ready. And I was like, I already have all my stuff
25 in, I'm just dealing with the bureaucracies of an SMA. I've

1 never dealt with it in my life, and I -- I've heard rumors of
2 it, and now I'm going through it, and like Layne said, it's an
3 extremely difficult process, it's not something simple, and
4 that's the reason for my call today.

5 The other nine businesses, I've talked to them, and
6 they didn't want to get on the call today; some of them are
7 just happy that they got the June 25th extension, but for me,
8 my restaurant is right by the water, and I had to apply for an
9 SMA. And I'm assuming they don't realize what they're about
10 to go through. They think June 25th is so far from now, but
11 it really isn't; it's right around the corner. And like I
12 said also, when you submit, that doesn't mean you get it, you
13 know.

14 Like, Layne has been doing an incredible job, but
15 there are many times where you submit something to the LC, and
16 they kick it back to you because of an error on the
17 application or something, and then you've got to resubmit it
18 again, and then it just -- it's a lot of back and forth. And
19 so June 25th is not June 25th. June 25th is -- like I said,
20 it's actually May 25th because you're gonna need to have time
21 for fixing whatever's wrong on the application if something's
22 wrong.

23 VICE CHAIR BECRAFT: Okay. I appreciate that input.
24 And that is something, if you've been watching, that we're
25 moving forward on and we're gonna try to -- and that's on our

1 agenda here, and I'm hoping it's gonna be on next month's
2 agenda and the month after that we're going to hopefully get
3 that on the agenda all the time so that we can keep addressing
4 those type of issues.

5 But the SMA issue is where my questions are, and I'm
6 gonna -- and I appreciate your input, and please still hang
7 on, I might have a question again, but I -- right now, I'm
8 gonna move into the legal world with corporation counsel
9 'cause SMAs are something --

10 COMMISSIONER PATEL: May I say something?

11 VICE CHAIR BECRAFT: Yes.

12 COMMISSIONER PATEL: Thank you. I realize I had my
13 hand up a few times.

14 VICE CHAIR BECRAFT: I can't see you. I think
15 you're -- oh, there you are. I'm sorry, sir. Thank you.

16 COMMISSIONER PATEL: Yeah. So, first of all, you
17 know, I have gone through the SMA process multiple times.
18 I've put on a few events along Front Street, as some of you
19 may know, but it is a long process. But if you do it right,
20 you get approval and, you know, and that's that. My question
21 would be because I do know others that are affected by this,
22 at least I can just speak on the west side, would be: Do we,
23 as a liquor commission, have the possibility, knowing that the
24 SMA can take up to a year, to say, hey, let's give everybody
25 until 2023, you know, and then give some breathing room?

1 Knowing the process is gonna be delayed, I mean, I could say I
2 know firsthand that -- how rigorous that is, but that would
3 give everyone some time. I think some strong arguments have
4 been made that, look, COVID is still around, instead of -- you
5 know, I've been to Mala, Javier, you know, I know how tight
6 that space is indoors. You're right; people are
7 uncomfortable, you know, so the safety part is still there.
8 And, yeah, so I would just say to us to see if we have the
9 capacity to help in that extension.

10 VICE CHAIR BECRAFT: Exactly, that's what I was
11 gonna say the legal question -- I wanted to ask that question
12 of corporation counsel. What are our abilities? Because I
13 don't know the SMA laws and if -- not an opinion of should we
14 or shouldn't we, but is it within our ability to give that
15 extension, Ms. Oana.

16 CORP COUNSEL OANA: So I'm kind of learning this
17 liquor area of law right now. As you know, I'm pretty new,
18 but from what I'm understanding of this conversation is that,
19 you know, the mayor did allow outdoor seating, some people now
20 want to continue that seating, but that was an allowance due
21 to his rules regarding public health and safety, and so now
22 you guys need SMA permits to continue that use. Is that what
23 it is?

24 MR. BARBERI: (Nodding head.)

25 CORP COUNSEL OANA: Okay. So the liquor department

1 cannot waive or, you know, allow something that is -- you
2 know, basically needs an SMA permit. It cannot allow that
3 use, you know, on its own. You need the SMA permit unless you
4 have an exemption or something. But we cannot allow that use,
5 you know, that use was allowed during the pandemic pursuant to
6 the rules, but the -- this commission nor the liquor
7 department can override any SMA rules or law.

8 VICE CHAIR BECRAFT: Bruce.

9 COMMISSIONER U'U: I just wanted to add, I mean,
10 if -- I get it, we cannot override the SMA law, but if -- if
11 we acted on a memo from the mayor directing that they can use
12 this in a time of COVID, I'm thinking if we can request the
13 mayor and ask, you know, change the memo, amend his memo, and
14 see if we can extend it, you know, to one time agreeable with
15 planning so everybody's, I guess, you know, working together
16 on an understanding. And if we can help craft -- help him,
17 aid him, craft a memo to get -- send it back to us and get
18 planning on board to help the SMA and the liquor part. I
19 don't know if that's legal, but I think that's something we
20 possibly could attain.

21 VICE CHAIR BECRAFT: And I --

22 COMMISSIONER U'U: Possibly.

23 CHAIR BOLOSAN: I agree with you, Bruce. That's
24 exactly where I was headed on this. I wanted to get the legal
25 out and then go with what is -- we already know what's legal

1 is that the mayor has that ability, so I would like to see us
2 go to bat for these -- you know, for these licensees, for
3 Javier and the other nine, and see if we can't get a further
4 extension just as like Sne's saying, you know, give them more
5 time to work through this SMA. And back to the support that
6 further, I've already asked Javier if he's already submitted
7 his paperwork, so we don't want to give people time to drag
8 their feet. If he's already -- he's already off and running
9 doing what he can, so I'd like to -- I too am for us trying
10 to, you know, help them out the most that we can.

11 You had something to add, Javier?

12 MR. BARBERI: Yes. One other thought I had is also,
13 since this is all based on planning, what if Michele McLean
14 sent you folks a letter saying that we are providing an
15 extension for the applicants that have their SMA in line, we
16 will -- here is a temporary clearance letter that you folks
17 are requesting of Javier, and it's a temporary clearance
18 letter until his SMA is either approved or not approved.

19 VICE CHAIR BECRAFT: I'm pretty sure corporation
20 counsel's right, I don't think we have the ability to override
21 an SMA, like say, oh, you can put up a pier out until we
22 figure out if they're gonna say you can put the pier there
23 because it's shoreline. So I'm 99.9 percent that -- that
24 as -- and I was just trying to flush it all out that
25 corporation counsel gave us good advice on that that we can't

1 override that, but under COVID, because that's a whole set --
2 it invokes different rules and stuff, I believe that we can
3 and at least try and go to the mayor with that, but I --
4 corporation counsel's heard what you said so she can mull that
5 over, but I'm certain that we're gonna have to -- I think our
6 only avenue is to request from the mayor.

7 CHAIR BOLOSAN: Thank you, Vice Chair.

8 May I have the director put in some of his opinion
9 on this matter?

10 DIRECTOR LAYNE N. SILVA: Okay. Just, you know, as
11 a point of clarification and from the department of liquor
12 control's point of view, our requirement -- and like Javier
13 said, if the applicant can obtain anything -- because we have
14 the requirements that we need to meet in order to issue these
15 permits, and I -- you know, I have no objection to the
16 commission reaching out and trying to see if there's a
17 possibility to work with the mayor's office and with these
18 other departments that we require clearances from. But as
19 from the point of view of the department of liquor control, if
20 I received a letter from the planning department that told me
21 that the planning department does not have an issue with us
22 issuing a permit for an extension of premise, I would take
23 that as a clearance, I would take that as their approval. So
24 whether it's an SMA or if it's a letter from a department
25 head, you know, a memo from the mayor or whatever the case may

1 be, what I'm looking for is the clearance from the other
2 governmental agency that will allow us to issue this permit.
3 And whatever form that comes in, we'll be more than willing to
4 work with.

5 VICE CHAIR BECRAFT: Yeah. And thank you, Director,
6 for that, but -- and then I was gonna add to that, I realize,
7 as you said, you started with it, you guys aren't -- you know,
8 your requirements, what's required by the board, these are
9 unique situations that we've been talking a lot about this
10 since you've come on board as our new -- new captain of the
11 ship, the direction that we all want to head. I would add to
12 that I appreciate you giving that avenue as clarification, but
13 I would request that we not make it incumbent upon the
14 licensees to have that knowledge and to fire off letters to
15 them. I would ask that we fire off that letter or that you
16 make that phone call and see if you can't get that clearance
17 from them so that we can -- you know, that we can just be
18 there to help, you know. Let's -- instead of say it's shut
19 down, and Javier is here going, hey, help me, that we -- as we
20 did in Wednesday's meeting, I thought we were headed there on
21 Wednesday's meeting, that we take these steps first before
22 giving him the shutdown letter and saying that we've exhausted
23 all the options that we could think of to help them. So I'm
24 just asking that, then, since that's a good thought, you know,
25 maybe -- could you call planning and, you know, a quick phone

1 call --

2 DIRECTOR LAYNE N. SILVA: Put it this way, I was --
3 I was actually in the meeting with Michele where -- where this
4 extension to the end of June was decided, so I do involve
5 myself in these types of meetings. I don't particularly or
6 typically involve myself or the department in attempting to
7 obtain clearances for the applicants as they're trying to
8 submit their applications, but I am intricately involved in
9 the conversation with the people that would have to be
10 issuing.

11 VICE CHAIR BECRAFT: If I heard you correctly, then
12 you're not gonna do it, but I'm saying that we -- we're in a
13 different world, and we should be more helpful. So if you're
14 not gonna do it, are you saying that the commission then needs
15 to do that request and that our board -- our chairman or
16 somebody needs to address that? 'Cause I want to -- I want to
17 be an advocate for these folks.

18 DIRECTOR LAYNE N. SILVA: As well do I, but I also
19 need to make sure that we are doing things in the proper
20 manner. So these -- you know, these are questions that I
21 probably cannot answer off the hip, these are probably
22 questions that I will need to converse with corp. Counsel
23 about as far as what is proper, what is not proper, and how we
24 go forward. Like you said, and I believe we're like-minded in
25 this situation, is that we do want to help these licensees to

1 be successful, and we do want to simplify and streamline the
2 things that we are doing as a department and what we're
3 willing to accept as clearances. So, yes, we are very
4 willing. I guess the question is as to what is proper, and
5 that is something that we would need to research and find out.

6 VICE CHAIR BECRAFT: Okay. (Inaudible.)

7 CHAIR BOLOSAN: Okay. Commissioner Andrion has been
8 raising his hand; I apologize. Commissioner Andrion.

9 COMMISSIONER ANDRION: Mr. Chair, and that is -- I'd
10 like to echo that with what Director Silva is saying. Are
11 we -- I mean, yes, we are looking to help everyone, but are we
12 not overreaching if we had to help them try to get that
13 particular permit by sending letters? I think we need to
14 really find out if this particular commission is gonna be
15 overreaching its authority by extending that type of letter to
16 help one business or the other. I think we have to understand
17 our part is to approve the license, but all the requirements
18 have to be in place. So are we putting that on the commission
19 now and extending it to say we need to extend those letters so
20 that these people can be approved? I mean, that's -- I just
21 need that clarified. And I think Director Silva has kind of
22 mentioned that while my hand was raised, but I think that's
23 the thing that we need to clarify because if we venture into
24 something else that would be outside of our responsibility,
25 we'll be -- now we're gonna be doing that try all the time?

1 That's the only concern that I have.

2 CHAIR BOLOSAN: Okay. Thank you, Commissioner
3 Andrion.

4 I see Commissioner U'u. Are you raising your hand?

5 COMMISSIONER U'U: Yeah. And along that -- what
6 Roberto said, and I agree, I think we -- at the same time,
7 we've gotta know what's legal, and we've got to protect the
8 liquor department in case there is any backlashes that comes
9 back. So I'm just looking for some resolve here and the best
10 possible solution. The bright side is, you know, it's up to
11 June 25th, so we do have some time, but like Javier said, you
12 blink your eye, it's -- it's there. So we're gonna be
13 working -- and I'm -- I'm like Layne said, like minded and
14 we'll look for the best possible solution for all parties and,
15 again, reflective with the direction from corp. Counsel. So I
16 want to make sure this is legal. And, no, I'm not qualified
17 to make a legal decision, but that's why I got Jennifer Oana
18 over there.

19 CHAIR BOLOSAN: Okay. Let me throw that to this
20 point, Jen. Do you have any opinion on this one, just so we
21 can kind of have a good resolution on what we're trying to
22 achieve? Jen?

23 VICE CHAIR BECRAFT: You're muted, Jen. You're
24 muted.

25

1 CORP COUNSEL OANA: Thank you. I -- thank you,
2 Chair. I do agree with Director Silva on this one as well as
3 Commissioner Andrion. You know, this clearance that the
4 applicants need is from an entirely different agency that is
5 bound by state law, state law, and administrative rules, so
6 basically, Layne has -- Layne's hands are tied. You know, I
7 can go and ask a question, Michele, is this a possibility, but
8 whether it's the commission or the department researching for
9 the applicants, you know, that is, in my opinion,
10 overreaching, you know. Because Mr. Barberi, he obviously has
11 an SMA application in, do the other nine? You know, it's on
12 them; it's their responsibility to get the clearances they
13 need. And so, yes, Director Silva can make a call, see from
14 Michele McLean if it is possible, and if it is possible, then
15 the department and you folks know that it is possible so the
16 approvals can go faster. But it really is on the applicant to
17 get everything they need to submit their application, and, you
18 know, you guys can ask questions, but not really going so far
19 as to getting these approvals for these specific applicants.
20 So, you know, applicants should go, follow up with Michele
21 McLean. The SMA process is -- is a bear, it is, but, you
22 know, it's on them to hire who they need to, consultants,
23 Munikeya, whoever they need to hire to get them through that
24 process. Many people have to do that.

25 CHAIR BOLOSAN: Thank you, Jen.

1 I see Vice Chair's hand raised. Go ahead.

2 VICE CHAIR BECRAFT: And this is for Jen. Jen, I
3 want to clarify what I think I just heard. So -- 'cause I
4 think differently, I guess, than others. I just want a legal
5 opinion, and I think I heard two messages. I think I heard
6 your opinion of that it's really not normal for us to do this
7 and you don't feel that we could do it, but I believe, if I
8 heard you correctly, that you did also circle around and say
9 that we could, so -- which then goes to the root of what my
10 question is. Is it legal or illegal? So -- 'cause when you
11 say the words that it's not proper, people can hear that as
12 it's illegal. I don't believe it's illegal for us because
13 this is a unique situation. COVID is unique. This isn't
14 lumped into one for me. This doesn't -- as an example, you
15 know, we had that special meeting to correct what I considered
16 an error we made so we could get somebody their license
17 approved. We had a special meeting, but that doesn't mean we
18 have to do it for every single situation. We did do it for
19 that. And in this situation, my question is: Is it illegal
20 for us to decide in this situation with COVID that we want to
21 move forward and ask Ms. McLean if -- if it's legal? Not what
22 her opinion is, whether she thinks we should be doing it or
23 not but is it illegal for us to grant an extension? That's my
24 question, not whether or not --

25 CORP COUNSEL OANA: Okay. So is it illegal to ask

1 Michele McLean if it's possible under her jurisdiction of the
2 director of planning? No, it's not illegal to ask whether --
3 what she has to do -- well, it's not illegal to ask her the
4 question. Is it illegal for you to, you know, assist
5 particular applicants? Is that your question?

6 VICE CHAIR BECRAFT: No, just -- I think that you
7 answered it. This is a situation -- this exact situation
8 because it's COVID and we decide that we want to take an extra
9 step to help during this time, would that be illegal for us to
10 contact the director, to contact her and say, listen, is it --
11 is it legal for to us extend that permit? Whether she says,
12 Well, I don't think it's a good idea, that's different, you
13 know. Is it illegal? And if she says it's not illegal --

14 CORP COUNSEL OANA: So --

15 VICE CHAIR BECRAFT: -- then we would be able to
16 help.

17 CORP COUNSEL OANA: You're kind of merging the two
18 departments together. Is it illegal to extend the liquor
19 license or the SMA permit application process?

20 VICE CHAIR BECRAFT: The question would be, simply
21 stated, that I'm asking, would any part of this process be
22 illegal? Let's say if Layne were to contact Michele and say,
23 Here's our situation, exactly as described in regards to these
24 SMA -- for just Javier, let's just keep it simple. Just his
25 situation, and said, Is it legal for us to extend his thing,

1 his permit to do it outside while waiting for the SMA results?
2 And if she says, Yeah, there would be nothing illegal about
3 that, that's what I'm asking because then it would put it back
4 on the board and if we want to step outside of our comfort
5 zone and our normal responsibilities because of these
6 extenuating circumstances, then it would be about us, but it
7 wouldn't be somebody's opinion on whether or not we should
8 take on more work.

9 CORP COUNSEL OANA: So basically, I think the
10 question to Michele would be, Are you granting the clearance?
11 Is your agency granting the clearance or not? And if she says
12 it's fine, then -- then the department, your department is
13 fine.

14 VICE CHAIR BECRAFT: Okay. And that's what I was --
15 that's the thing I was thinking. Because whether or not we
16 make the decision and go outside our realm like we did this --
17 the time before with having a special meeting to give, you
18 know, one licensee a special meeting, you know, that doesn't
19 mean we're gonna do it for every single licensee, you know.
20 It is up to us. So that's -- so I think that's -- I think I'm
21 clear now we do have the option, you know, that the director
22 could do that. And if he doesn't want to do it, then we also
23 legally could contact Michele and see if that clearance is
24 possible.

25 CORP COUNSEL OANA: And inquire. You can inquire.

1 VICE CHAIR BECRAFT: Inquire, okay. Thank you.

2 CHAIR BOLOSAN: Okay. Can I have the director to
3 say something?

4 DIRECTOR LAYNE N. SILVA: Okay. And, again, just to
5 clarify, I already do. You know, I do reach out to the other
6 departments, I do communicate with Michele McLean. And like I
7 said earlier, if -- and maybe just to help clarify part of
8 what I believe I heard as being part of that question, is it
9 legal for the department of liquor control to issue a permit
10 without a required clearance? Yes, that would be illegal.
11 Now, if I received approval from a particular department that
12 we were trying to obtain this clearance from to issue that
13 permit, we would issue that permit because the department or
14 the agency that oversees those requirements is the department
15 or agency that would have jurisdiction over whether it can be
16 approved or not, so -- and I kind of -- I feel like to answer
17 your question, Jamie, we already do that. I will reach out to
18 Director McLean in a lot of instances and circumstances, you
19 know, with that very question. You know, I'll accept anything
20 in writing as a clearance. If she tells me that, You know
21 what, he's not gonna get his SMA for a year, but I can give
22 you this temporary approval while he's going through his
23 process, or I can give you some kind of interim approval while
24 he's going through his process, I will accept that. I will
25 accept that, and we will issue it based on that, based on the

1 authority from the agency that has jurisdiction over those
2 requirements. So that already does happen, and it will
3 continue to happen.

4 VICE CHAIR BECRAFT: Director, with all due respect,
5 I -- we're not addressing the issue. You've talked about --
6 and the verbiage that you're using, you talk about other times
7 that you have, you've already earlier stated that you're not
8 going to in this situation. Everything you just said in the
9 last minute says that you're not --

10 DIRECTOR LAYNE N. SILVA: Well, let me clarify. I'm
11 not going to reach out to a --

12 VICE CHAIR BECRAFT: Let me finish, please, Mr.
13 Director. Please let me finish.

14 DIRECTOR LAYNE N. SILVA: Okay.

15 VICE CHAIR BECRAFT: So the question is real simple.
16 And I'm okay with it if you're not comfortable, I -- you know,
17 that you don't want to, for whatever reason, contact her and
18 ask her specifically about this, that's fine. If you're not,
19 then I'm gonna ask the board to do it. And if you're
20 saying -- if you want to redirect that and just answer it yes
21 or no, I'll reach out to Michele and try to see not her
22 opinion, but like a legal -- can we legally do it? And if she
23 says, Yes, we have that legal ability, I'd like us to -- then
24 the board to be able to address that. So, you know, I get
25 that you say you've done it in the past, but are we gonna do

1 it right now is what my question is for -- for this situation
2 because of COVID and because we have this in front of us.

3 DIRECTOR LAYNE N. SILVA: I'll reach out to Michele;
4 I will speak to her. I guess there's a misunderstanding in my
5 earlier answer. My earlier answer was, in retrospect, if an
6 applicant contacts the department and says, You know what, I
7 can't get this clearance, can you get it for me; the answer to
8 that question is gonna be no. But if it's a matter of me
9 calling Michele McLean or Director McLean and saying that, you
10 know, I spoke to Javier; I know he submitted an SMA. Is there
11 any idea where that's at? Is there a possibility for him to
12 get an interim extension or some kind of a temporary approval?
13 I am more than willing to do that.

14 VICE CHAIR BECRAFT: During COVID, though. Because
15 if you word it that way, then it's outside these COVID rules.
16 It has to be worded on exactly what's going on. If you word
17 it how you just did, then it's just under SMA law, and the
18 answer is gonna be no.

19 CHAIR BOLOSAN: Okay. May I stop the two of you? I
20 do have -- Commissioner Andrion's been raising his hand for a
21 very long time. I apologize. Go ahead.

22 COMMISSIONER ANDRION: Thank you, Mr. Chair. I know
23 we -- you know, we always talk about COVID, during COVID,
24 during this, during that, but the bottom line is, okay, for
25 anyone to get approval, whether it's COVID or not, we'd have

1 to put it on the applicant to get the requirements that's
2 needed. Now, what I hear Layne is saying is that he can talk,
3 he can -- what is that word that corp. Counsel used --
4 inquire, okay, but not reach out and actually say, Hey, can
5 you approve that? And I think that's what Layne is saying.
6 Layne is saying that, you know what, I can inquire about this
7 and what happens, but it -- ultimately, it would have to be
8 the licensee, the person that's asking for a license, that we
9 can approve it based on the rules that is before us. And I
10 understand this COVID issue, it's always gonna be there, but
11 we have to get off of that to make sure that when we move
12 forward with anything, nothing comes back at this department
13 or this commission that we -- we're not supposed to do what we
14 are gonna do. The thing is that I believe Layne is willing to
15 inquire, but the bottom line, whether it's COVID or not, it
16 has to be -- fall back onto the licensee to get the necessary
17 documents so that we can make an approval. Thank you.

18 CHAIR BOLOSAN: Thank you, Commissioner Andrion.

19 All right. I'm gonna call last call for Vice Chair
20 Becraft and possibly what you want to say to whatever Vice
21 Chair says, Director Silva. Go ahead, Vice Chair.

22 VICE CHAIR BECRAFT: Thank you. I'll just wrap it
23 up. And I appreciate what Roberto's saying and what others
24 and stuff, and I'm not trying to insult anyone, but my thing
25 is, is that I worked in the county my -- you know, my whole

1 adult life, that was my primary job, and one of the things
2 I've always said while in the county is always I wish the
3 people in the head -- and I'm talking about my profession, not
4 Layne -- that I wish people would have made a lot of decisions
5 based upon like they owned the business and what would be best
6 to perpetuate that business. And I know that it's easier, and
7 the norm is, well, that's not our normal action, we don't
8 normally do this, we don't normally do that, that's incumbent
9 upon someone else. And Roberto is a hundred percent correct,
10 you know, it is incumbent upon Javier to do his due diligence
11 and get all of his proper paperwork in and things of that
12 nature; however, I'm looking at the liquor, the director and
13 the commission, as let's pretend like we own this business and
14 we want to increase our profit margin. To increase our profit
15 margin, we don't say, Yo, brother, good luck to you, bring us
16 what -- bring us what you have, and if it doesn't work, we'll
17 shoot you down. We do the, Hey, let me help you, let me help
18 you through these stumbling blocks.

19 And I think that's where we're headed later, by the
20 way, in the agenda when we go over our rules and regulations
21 that we're trying to alleviate stumbling blocks, and we want
22 to come across as we're here to help you, brother, not -- not
23 tell you, Hey, good luck, get your stuff in, and we'll be
24 there then. So my real point here is let's help him, let's
25 help not just him. I don't know Javier, I've never met this

1 gentleman, I know nothing about him other than that he's a
2 licensee, and I treat him as he's my customer, and I want him
3 to be as happy as he can. And if we know where the stumbling
4 blocks are, I'm saying as long as there's no legal stopping us
5 from this, that we want to change our thinking. I mean, our
6 thinking should be to answer the phone, This is Jamie Becraft,
7 Liquor, how may I help you, you know, and mean it. And I
8 believe we can help here, and so that's my thing. I'd like
9 to -- and if the -- if the director doesn't want to do it,
10 that's fine. If others disagree and want to stay with our
11 old -- you know, our old way of you do your thing, we'll do
12 ours; I get that too. I mean, there's an argument on both
13 sides, but that's my point. I urge that the director make
14 the -- the plea and do it to the best that he can, not just,
15 you know, give me a law reading, we know what those are, but
16 really go somewhere and say, Hey, listen, this is what we're
17 trying to accomplish, and I think a lot of people in the
18 county are trying to accomplish, let's help out people that
19 are struggling because of COVID.

20 So that's my position. I'm not gonna say anything
21 more. I appreciate it, and I do respect everybody's opinion.
22 And, Roberto, I know this is your last meeting, and I just
23 want to say you've been eye-opening for me. I have learned a
24 lot from you through the time that I've been with you, so I --
25 and I truly do respect your opinion. Thank you.

1 CHAIR BOLOSAN: Thank you, Vice Chair Becraft.

2 I'm gonna ask one of the commissioners to say
3 anything before it goes back to Director Silva, then we can
4 move on to another item. Any from the commissioners?

5 COMMISSIONER PATEL: (Gesturing.)

6 COMMISSIONER U'U: (Gesturing.)

7 CHAIR BOLOSAN: Sne, and followed by -- I apologize,
8 followed by --

9 COMMISSIONER PATEL: Yeah, you know, I just wanted
10 to say I think we're -- we all want to help Javier and other
11 people like him, there's no -- there's no doubt about that,
12 you know, Jamie. It's just, you know, the way we do it,
13 right, and that's all. So I'm all for helping if we're gonna,
14 you know, do it the right way. I know Layne's all about
15 helping; I've spoken to him numerous times about things, he's
16 always willing to help. And it looks as though the planning
17 department's willing to help, you know, so, you know, in terms
18 of conversations that Javier's even had with Michele. So, you
19 know, I think we're all here, and we're gonna help; it's just
20 it has to be following the proper protocols.

21 CHAIR BOLOSAN: Okay. Well said, Commissioner
22 Patel.

23 Commissioner U'u.

24 COMMISSIONER U'U: Same, same thing. I think we --
25 we're all in that help mentality. And you're right, Jamie,

1 you've gotta kind of run them like one company. And I've run
2 some companies before and what's -- and what's different and
3 same is so I might have been the general foremen, but the
4 owner runs it. So I'm the GM, and something's my decision-
5 making, because I don't own it, yeah, and if it backfires, it
6 goes to him, not me. So I work in a team, with a team with
7 the owner and I give him my advice, and sometimes when -- like
8 I -- so I was in the carpentry trade whatever, 25-30 years,
9 yeah, same like you, police department, right? But get one
10 owner who has been running it for years, and I've been with
11 the company for a long number of years, he's been there for
12 this many of years, so I try to ask. Because when the thing
13 falls back and it falls back bad, he's gonna get 'em, not us
14 the volunteers. So I'm like you, though, Jamie, I like to
15 help them all I can and whatever we can to reach the same
16 goal, but we just might have different ways about going --
17 going about doing things.

18 So, Javier, I am for you and all of the line people
19 and all of the licensees there, but we've gotta come up with
20 some way that even corp. Counsel can say -- I know Jamie asked
21 corp. Counsel questions different ways looking for an answer,
22 you got the answer, which is great, but then that thing again,
23 the perspective on how we attack -- not attack --

24 (Change of chapters.)

25 COMMISSIONER U'U: But I get what you're doing,

1 Jamie, and I agree with you on that part for sure. But might
2 be over my pay grade, Jamie, just a little bit of what the
3 dealings that the director gotta go through. Just like me, I
4 was a planning commissioner, but I cannot tell the planning
5 director how to operate because come back to the planning
6 director and then when they go for confirmation, gonna hit
7 them back hard again. So I'm willing to do as a group,
8 absolutely. Thank you.

9 CHAIR BOLOSAN: Okay. Being the chair, I think this
10 will be my last to have this authority, so might as well ask
11 commission members. Sylvia Ho, go ahead.

12 COMMISSIONER HO: Okay, all right. Thank you.
13 First of all, I'd like to thank Mr. Barberi for your presence
14 here today to present a case, and then we'll have a good
15 discussion. So I -- I mean, according to all the conversation
16 that we had just now, seems like the department is actually --
17 especially Director Layne Silva is actually willing to make
18 that phone call to speak to the planning department, okay?
19 But of course, at the same time, of course, that's to -- you
20 know, to inquire about if -- how can we actually give you
21 interim approval, right, before your SMA is approved. But, of
22 course, during the process, it'll be also your responsibility
23 to make sure that all the requirements to get your SMA permit,
24 right? So that means we all work together, so you do your
25 part, right? And then our -- the liquor commission, we are

1 here also to support you, you know. So we would like to ask
2 Director Silva to go ahead and talk to the various --
3 whichever department can get you the approval so we can give
4 you the interim so while you are waiting for the SMA permit,
5 you can still be able to operate like during the COVID time.
6 Okay? So I think the department -- I mean, us, the
7 commissioners actually, definitely is actually supporting your
8 situation, so yeah. So then, at the same time, as I said, we
9 all work together, you do your parts, and we are here to be
10 supporting, including Jamie, including Roberto, everybody. So
11 we are here to support you, yeah? Thank you.

12 CHAIR BOLOSAN: Thank you, Commissioner Ho.

13 I'd like to hear from the other three; then I'm
14 gonna break a little bit of rules over here. Commissioner
15 Boswell, do you have any take on this? So I want to have
16 anybody to be heard on this item.

17 COMMISSIONER BOSWELL: Yeah. So, I mean
18 (inaudible) --

19 CHAIR BOLOSAN: You're breaking up.

20 COMMISSIONER BOSWELL: Like (inaudible) seems like
21 it should be up to the licensee. Hello.

22 CHAIR BOLOSAN: Yeah, you -- sometimes you're
23 breaking up. Go ahead.

24 COMMISSIONER BOSWELL: Oh, sorry, I got bad service
25 right now.

1 CHAIR BOLOSAN: Okay. Go ahead.

2 COMMISSIONER BOSWELL: But it's -- it seems like it
3 should be left up to the licensee. I do believe that we
4 should help him, but I also believe that this is overstepping
5 our bounds as a board. The exemption came with the mayor's
6 directive. I kind of remember in my very first meeting where
7 somebody applied for this type of application, and we were
8 asking whether or not it was temporary and permanent. And,
9 really, if it had the intention of becoming permanent, they
10 probably should have started the process back then and not
11 relied on the COVID exemptions to push a permanent structure
12 through temporarily. And that's all I've got.

13 CHAIR BOLOSAN: Oh, thank you, Commissioner Boswell.
14 I've got two left. You want to take a shot on this,
15 Commissioner Ruidas?

16 COMMISSIONER RUIDAS: Hello, guys.

17 CHAIR BOLOSAN: This one (inaudible).

18 COMMISSIONER RUIDAS: No, no. My take is, you know,
19 we are a commission, we operate as a commission, and, you
20 know, Layne has been doing a good job. I know Michele, I've
21 been on the planning commission too, and Michele is real good.
22 So I think everything will work out, you know. We've been on
23 this conversation for almost an hour; I think somebody's
24 listening, so we'll just keep moving on and -- yeah, thank
25 you.

1 CHAIR BOLOSAN: Thank you, Commissioner Ruidas.
2 Commissioner De Mello, what is your take on this one
3 before we move on?

4 COMMISSIONER DE MELLO: Okay. Well, hearing
5 everything, yes, exactly what Stan said that we've been on it
6 for a long conversation. And Layne is willing to make that
7 step, that call, so I'd give him a chance to do that. He's
8 going out of his reach, trying to help out Javier. And you're
9 just below the street from me, so, yeah, give the department a
10 chance to try to help you. But what everybody's afraid is, is
11 that it's not gonna be mandated for the department to always
12 step out of boundaries of the commission. So, yeah, that's my
13 thought.

14 CHAIR BOLOSAN: Okay, all right. Thank you,
15 Commissioner De Mello.

16 Let's hear from the director before we move on to
17 the other item.

18 DIRECTOR LAYNE N. SILVA: Okay, yeah. I guess
19 really, I believe it's all been said. I think we have
20 established that we are more than willing to help, you know.
21 And it doesn't matter who it is or what the situation is; we
22 are willing to make that phone call, which I will make and I
23 have made and will continue to make. With COVID, without
24 COVID, whatever the case may be, you know, our goal -- like I
25 said, I believe we're all like-minded in this situation where

1 our goal is to help these businesses be successful and to be
2 able to, you know, be in business. So we are willing to do
3 everything within our purview or within our boundaries to do
4 to help that along, and we will continue to do so.

5 CHAIR BOLOSAN: Thank you. Being that said, I'd
6 like to ask the director to move on on his administrative
7 affairs, if I may. Go ahead, Director.

8 DIRECTOR LAYNE N. SILVA: Okay.

9 VICE CHAIR BECRAFT: Thank you, Chair.

10 DIRECTOR LAYNE N. SILVA: Item No. 2 is the Update
11 on Public's Input on Licensing Forms. Okay. This is where --
12 you know, the one where we took public input, and the goal is
13 to update the licensing forms, remove whatever information is
14 not required to try to help relieve some of the confusion and
15 the cumbersomeness, if that's a word, of some of these forms,
16 especially, you know, things like the personal history
17 statement and other required documents that are needed to be
18 submitted with the license application. We have received, I
19 believe it was five versions. Sorry for the late notice. It
20 was emailed out to you guys yesterday afternoon, what we are
21 now reviewing. So what our intention is, is to review the
22 suggestions as well, taking into consideration the -- our own
23 recommendations within the department in how to streamline
24 these forms for submittal. Once we are able to create a final
25 version, a Ramseyered version, then we will present it to the

1 commission for review, discussion, and approval. Right now,
2 we're in the process of researching requirements, things like
3 that, you know, whether it's required by commission rule,
4 whether it's required by state law, as well as federal
5 requirements, what may or may not exist. That's the process
6 we're in now. Once we get through our review, we're gonna be
7 able to provide the commission the final draft, Ramseyered
8 version of what will become of the forms for review,
9 discussion, and approval.

10 CHAIR BOLOSAN: Okay. Thank you, Layne. Are you
11 through?

12 DIRECTOR LAYNE N. SILVA: Yes.

13 CHAIR BOLOSAN: Okay. I had a message from the
14 liquor department that I did not look at. Keri Mehling would
15 like to put in a testimony. Is that -- am I out of bounds,
16 Jen?

17 CORP COUNSEL OANA: No, Chair, you can accept public
18 testimony on this item.

19 CHAIR BOLOSAN: Okay, all right. Keri, if you're on
20 the line -- yeah, I see you. Go ahead.

21 MS. MEHLING: Sorry, I'm back.

22 CHAIR BOLOSAN: I apologize.

23 MS. MEHLING: No, I just -- I just -- let's see
24 here. Can you hear me? Because I'm getting that I'm muted.

25 CHAIR BOLOSAN: We can hear you.

1 MS. MEHLING: Okay, great. The program is confused;
2 it thinks I'm two people, not just one. I wanted to check in
3 and let you know that we are still monitoring, still willing
4 to contribute, still very concerned. You know, Layne is doing
5 a lot to try to -- to facilitate moving some of these issues
6 forward, but fundamentally, he needs humans. We're again in a
7 position of waiting three weeks just to try to discuss a file.
8 And I was able to talk to Layne, I think, what, Monday, Layne,
9 we chatted after playing phone tag for a day, but that was two
10 and a half weeks of messages before I was actually able to get
11 to Layne to talk about stuff, so -- and we don't have a
12 resolution because we are having difficulty locating files to
13 be able to answer the questions. So I just really want to
14 emphasize that, you know, we can make a lot of awesome
15 changes, but until we've got enough humans to handle what's
16 going on, we will be continually fighting an uphill battle to
17 get things processed. So systems have to change, forms have
18 to be easier, and humans need to be available. Because like
19 Mr. Becraft said, we are the customer, and we want to keep
20 people moving and happy and small businesses active. And more
21 people are coming online, so it's not gonna get quieter; it's
22 gonna get busier.

23 CHAIR BOLOSAN: Okay.

24 DIRECTOR LAYNE N. SILVA: If I might add one thing
25 real quick?

1 CHAIR BOLOSAN: Yes, go ahead.

2 DIRECTOR LAYNE N. SILVA: And just so I don't
3 forget. We did actually bring in a person; they started on
4 February 14th, I believe, into the licensing section. So it's
5 slow-moving, but we are, as Keri put it, bringing in some
6 humans and getting some -- some bodies in place so that we can
7 keep up with the influx. I just wanted to add that before --
8 so it didn't slip my mind.

9 CHAIR BOLOSAN: Okay, Keri. Go ahead, Keri,
10 before --

11 MS. MEHLING: I didn't have anything else. I
12 just --

13 CHAIR BOLOSAN: Okay.

14 MS. MEHLING: I'm committed to helping make changes,
15 so I will keep showing up and running at you all.

16 CHAIR BOLOSAN: Yes. Appreciate you coming forward
17 to the commission and the department. I see -- thank you.

18 Vice Chair Becraft, you have the floor.

19 VICE CHAIR BECRAFT: Thank you, Chair. I just want
20 to thank Keri. You're the first one to come out publicly that
21 I noted, you know, that started this with your coming forward
22 and pointing out things that -- that's what got everybody, and
23 everybody seems to be jumping on board, and we're all moving
24 towards getting things better. And this is Layne's first
25 year, so, I mean, he didn't create this building, but he's

1 trying to -- you know, he's trying to put a fresh coat of
2 paint on it. So we -- I truly appreciate that you stepped up
3 initially and pointed out things so that we can start
4 addressing them, so I just want to thank you.

5 MS. MEHLING: Yep. Happy to be making all of our
6 lives easier.

7 CHAIR BOLOSAN: Thank you.

8 All right. Any from the commission?

9 (No response.)

10 CHAIR BOLOSAN: All right, thank you. If not, we
11 can move on. Go ahead, Director.

12 CORP COUNSEL OANA: Chair, this is Jen. I just see
13 some other attorneys, we -- I'm not sure if you wanted to open
14 it up. This is public testimony, so if you wanted to call for
15 more public testimony.

16 CHAIR BOLOSAN: I see. Okay. You guys still have
17 time, yeah, Robert and Sylvia? Yeah.

18 Lianne, could you assist us with that, then? Are
19 you there?

20 MS. SUZUKI: No one else had signed up in the chat
21 room.

22 CHAIR BOLOSAN: Okay. Jen, do you see if that is
23 coming from video or a phone call testimony?

24 CORP COUNSEL OANA: I did recently see Dave
25 Jorgensen and Craig Nakamura turn on their video, so I'm not

1 sure if they want to testify.

2 CHAIR BOLOSAN: Okay. So then I can open that one,
3 then. I see Dave on the video. Can I take that?

4 CORP COUNSEL OANA: Yes, Chair.

5 CHAIR BOLOSAN: Go ahead, Dave.

6 MR. JORGENSEN: Good morning, Chair. Good morning,
7 Chair, Members of the Commission. We had also -- well, we
8 also first want to thank Keri Mehling for submitting comments.
9 We had also submitted comments via email to the department. I
10 don't see the need to go through them. Some of them were
11 duplicative of what Kari had done. I believe Mr. Nakamura
12 submitted some; I believe Ms. Tsukiyama's office submitted.
13 As with Keri, we are willing to assist in any way we can.
14 What we submitted was comments on the forms that are currently
15 being used and required. My understanding is there will be a
16 separate -- separate request for comments on general
17 procedures, policies and procedures. So I don't have anything
18 specific to testify on, but I do appreciate the opportunity
19 and the consideration of the commission members on the
20 comments that have been made. Thank you.

21 CHAIR BOLOSAN: Thank you, Dave.

22 Is there any more would come forward?

23 MR. NAKAMURA: Mr. Chair.

24 CHAIR BOLOSAN: Okay. Go ahead. Oh, I see you now,
25 Craig. You have the floor.

1 MR. NAKAMURA: Thank you. Thank you, Mr. Chair.
2 Thank you, Mr. Chair and Members of the Commission. So it's
3 Craig Nakamura. You know, I submitted, and you probably
4 saw -- I understand you received a rather lengthy letter not
5 only commenting on the forms but also the procedures and other
6 issues that we are experiencing. I generally don't like to
7 complain, you know, I find in the past, you know, it's --
8 working with most government agencies, it's better just to try
9 and work together and try and get things done, but my list is
10 rather substantial. I'm happy to answer any questions. I
11 think primarily what I'd like to suggest is that the
12 department and the commission conduct a briefing session. And
13 I think certain members of the commission have been also on
14 the planning commission or maybe the board of variances and
15 appeals, but other commissions or boards with the planning
16 department and they usually conduct an informational briefing
17 for new members, you know, which they go over the different
18 types of applications. I think it would be very helpful for
19 the commission to have a briefing, a public briefing to go
20 over all of the application forms that are used for
21 applications and for permits so that each -- all of us can
22 understand, you know, what the applicant has to go through in
23 an application process. Because from some of the questions
24 that are being raised at some of the meetings, I don't think
25 all of the commission members are fully aware of the

1 requirements and, you know, what the -- what the applicants
2 have to go through.

3 The other primary problem that we're facing --
4 although, you know, I -- it's an understandable thing, and I
5 appreciate the fact that Layne is doing his best to hire
6 additional people. The other issue, the main issue is the
7 response and so, for example, as I believe Dave pointed out in
8 his email, the procedure used to be that if you filed your
9 application and it was accepted, meaning that it was reviewed
10 by the department and found to be, you know, in order, there
11 were no corrections or additions or anything else that needed
12 to be corrected, if you had filed that application and it was
13 received and accepted by the first Friday of the month, you
14 would -- you would be on the agenda for a preliminary hearing
15 the following month, okay, and that was the rule. Not a
16 written rule, but that was the procedure that they followed,
17 which was great for us because we were able to get -- you
18 know, have an idea as to timing. The client would have an
19 idea as to timing and when they might be able to obtain a
20 license. That rule -- and I think it's due to the lack of
21 manpower. That rule is no longer followed. So when we file
22 an application, and it's accepted, we have no idea when the
23 preliminary hearing will be, and that's just, you know -- and
24 I believe that is because of the lack of manpower, but it puts
25 the applicant in a very difficult situation for having to wait

1 for a long period of time until the application is heard.

2 And earlier today, you know, we had an application
3 pending for PB Restaurants or -- I believe it was called, and
4 the applicant told me that, you know, one of the reasons he's
5 withdrawing is because it's just taking too long. And, you
6 know, I think it's understandable. I'm sure there are other
7 reasons why, you know, he's withdrawing, but it's an example
8 of what happens. So if we could have, I think, in addition to
9 reviewing the forms, if there was some kind of timing, you
10 know, that was allowed. You heard from one of the licensees
11 this morning about the delays that they face when they submit
12 a permit application, and there's no response, you know, and
13 that's -- you know, if you'll see -- you'll see in my -- in my
14 letter that, you know, we've had -- we had an application
15 pending since April of 2021 for an extension due to the
16 mayor's emergency rules, and that didn't get approved and, you
17 know, a couple of weeks ago we were told we weren't gonna get
18 it anymore because the mayor repealed those emergency rules.
19 So, you know, that -- now we have to apply for a permanent
20 extension, which is fine, but it's just an indication of, you
21 know, how the applicants are at a severe disadvantage because
22 of the -- the delay it takes in processing these applications.

23 So I'd be happy to answer any questions that you
24 might have, you know, but I would strongly recommend that we
25 have this type of informational briefing to go over the

1 application materials. Thank you.

2 CHAIR BOLOSAN: Thank you, Craig.

3 Any from the commission?

4 COMMISSIONER DE MELLO: I have a question for Craig.

5 CHAIR BOLOSAN: Go ahead.

6 COMMISSIONER DE MELLO: Craig, you -- you
7 understood, and you had repeatedly stated about the shortage
8 in manpower of the liquor department, and Layne has been
9 working hard trying to get people hired. And it's not just
10 the liquor department; it's all over, all over there's a
11 shortage of manpower because now they're willing to take
12 people out of the pension, those who had retired, see if they
13 will be able to come back just for that one year to help out
14 and work because there is a shortage of manpower. And I don't
15 know if these eligible bodies leave the islands to go back to
16 their homeland and just cripple the islands, but Layne has
17 been working hard trying to get everything on deck. And, yes,
18 sadly, the -- the old directors, you know, whatever that had
19 happened, didn't follow up, and it shouldn't slam onto -- on
20 this director because now he's trying to clean up everything
21 and trying to get everything all in order. And it's daunting,
22 but it's getting there. I just wanted to make it clear
23 because you've been involved in a lot of the cases and, yes,
24 it's not just this department, it's every single department,
25 they have a lack of employees, so we're getting closely up

1 there. Thank you.

2 CHAIR BOLOSAN: Thank you, Commissioner De Mello.
3 Any from the commission?

4 VICE CHAIR BECRAFT: (Gesturing.)

5 CHAIR BOLOSAN: Go ahead, Vice Chair Becraft.

6 VICE CHAIR BECRAFT: Thank you.

7 Thank you, Craig, for testifying and all of your --
8 you know, everything you wrote. And so that I don't forget, I
9 also want to thank Mr. Jorgensen, you know, for writing in and
10 all the other -- we have had five people write in, so I want
11 to thank everybody, so I don't fail to do that.

12 But I do have the question, you -- I read yours, and
13 there's several issues, but one issue that -- you know, you
14 have that one where you couldn't -- your client didn't get the
15 permit for -- to be able to do outdoor seating. Were you
16 given a reason why that is or was it just never addressed?

17 MR. NAKAMURA: I -- you know, that application was
18 pending since, I believe, April of '21. For the longest time,
19 I think we received no information on it. When we did follow
20 up probably a month or so ago, the department contacted us for
21 additional information; I don't remember the specifics, but
22 they had an issue with the wording that was used for the
23 exemption as far as how it referenced the mayor's emergency
24 rules, which I thought was unneeded, but in order to comply
25 and get that license moving, we changed the wording. And I

1 can give you that specific wording if you want, but that was
2 probably about a month ago, and then we've been waiting, and
3 last week we were told that we weren't gonna get it because
4 the mayor repealed the emergency rules, so there was no
5 grounds for it anymore, basically.

6 VICE CHAIR BECRAFT: Thank you. I have a follow-up
7 question for the director, if I may. Are you -- are you
8 familiar, Director Silva, with this case?

9 DIRECTOR LAYNE N. SILVA: I believe the permit we're
10 talking about, I was just recently made aware of probably
11 sometime within the last month, I'm not sure how long ago. I
12 believe I spoke to Craig about this, I could be wrong, but as
13 far as the April of 2021, that I cannot speak for, I was not
14 aware. I do -- and, again, you know, there are no excuses.
15 These types of things should not happen, should not be
16 happening. I do -- again, I appreciate the input from
17 Jerrybeth as far as our shortage is concerned; however, you
18 know, we're not gonna try and ride on that, and we're not
19 gonna try and ride on that as an excuse. These types of
20 things should not be happening. I understand when I was made
21 aware of this permit, it was more so revolving around the
22 request itself and what we were trying to accomplish. It
23 seems like more recently, the conversation involving this
24 particular permit was more so to make it permanent and
25 something to do with the shared usage, but that's a whole

1 'nother subject. But, you know, I do know that there are
2 documents and requests that have slipped through the cracks,
3 and I'm assuming this is probably one of them.

4 VICE CHAIR BECRAFT: I appreciate that answer.
5 The -- and I would just ask that we maybe look at it a little
6 bit closer. And I'd like to know because it seems to be one
7 of our problems. If there was a verbiage change, you know, it
8 seems to be a common thing, a common theme in the suggestions
9 that there's, like, nitpicking going on and/or -- like you can
10 actually get different answers. You know, one time it's with
11 this investigator; it goes to another person, you get a
12 contradictory answer. And whether or not -- whatever the
13 reasoning is for that, the part that I would like to address
14 also while you're doing this review to look into is why would
15 we send something back for verbiage? If corporation counsel
16 says, Hey, this isn't written properly if there's some true
17 legal, you know, thing, I can see, but if people are doing it
18 for grammar or "I would have written it differently," that's
19 something that we need to address too. Because it sounds like
20 that may have been what occurred, but I don't know for
21 certain. But I just want to bring that up.

22 And I apologize to Mr. Nakamura and his client. You
23 know, obviously, like you said, it slipped through the cracks
24 and, unfortunately, you know, things like that do occur,
25 but -- but if we can address the nitpicking, which seems --

1 again, seems to be a common complaint.

2 DIRECTOR LAYNE N. SILVA: Absolutely. Now -- and,
3 you know, just to touch on this just a little bit because it
4 seems like we're on this subject matter right now, is, you
5 know, I'm looking at this in phases, and I do, you know,
6 intend to utilize -- or maybe utilize isn't the proper word to
7 use, but I do intend to, you know, be in communication with
8 Craig, with Dave, with a lot of the key stakeholders and the
9 people that deal with us regularly that have all -- that have
10 been dealing with us for years that have a firm understanding
11 of the process, you know. We're dealing with this in phases.
12 Phase one are the forms; phase two is procedure.

13 One of the things that we have implemented is a
14 licensing email where all license applications that are being
15 submitted to the department or should be being submitted to
16 the department at this time, instead of going directly to a
17 specific investigator, it's going into a general licensing
18 email account that was recently created so that every
19 licensing investigator can have and will have access to all
20 the applications in the case that someone isn't in on a
21 particular day that someone calls in with a question or
22 whatever the case may be. And we're working on that. Like I
23 said, when we get into our procedural phases where I hope to
24 work out all of those kinks, you know, I believe that was a
25 great suggestion that Craig made as far as -- what did you

1 call it, Craig? I guess I'd call it a workshop. We try to do
2 an annual workshop, but I think we can expand on that to
3 include some of the subject matter that you were talking about
4 earlier. That probably would be very helpful. That's all
5 I've got.

6 CHAIR BOLOSAN: Any from the members?

7 COMMISSIONER U'U: (Gesturing.)

8 CHAIR BOLOSAN: Commissioner U'u.

9 VICE CHAIR BECRAFT: You're muted, brother. Bruce,
10 you're muted.

11 COMMISSIONER U'U: There we go. I agree; I think
12 one orientation would be good, you know. And so other
13 commission -- other boards and commissions, on the first day
14 of the new guys coming in, they have an orientation. And they
15 run that annually so, you know, as you gain more experience,
16 you start grasping a little bit more. So I think that will do
17 us good. If possible, I would like that; I would welcome
18 that. Just throwing it out there, Layne.

19 DIRECTOR LAYNE N. SILVA: I believe we do ours -- I
20 think when we did it last year, it was in May, so, you know,
21 by then, whatever new board members or commissioners should be
22 in place by then.

23 CHAIR BOLOSAN: Okay. Any more discussion?

24 (No response.)

25 CHAIR BOLOSAN: Okay. If not --

1 VICE CHAIR BECRAFT: I'm sorry, I just want to add
2 one thing to that. That thing in May, is that -- Director, is
3 that also including the attorneys and the licensees so they
4 can sit and kind of give -- so that -- or is that just for the
5 board where we get given the basic laws and our procedures?

6 DIRECTOR LAYNE N. SILVA: It's actually a public
7 meeting. It's -- that, yeah, that workshop is a public
8 meeting.

9 VICE CHAIR BECRAFT: Okay, that's great. I may mix,
10 and I'll try to make sure we can get some of our attorneys
11 there, too, so we can all share our knowledge. Thank you.

12 CHAIR BOLOSAN: Okay. Thank you.

13 So would that conclude this item?

14 (No response.)

15 CHAIR BOLOSAN: Go ahead, Director Silva, if you
16 still have some more to cover.

17 DIRECTOR LAYNE N. SILVA: No. Well, yeah, I guess
18 as far as -- so that's -- that's it for Item 2, Update on
19 Public's Input on Licensing Forms.

20 Now we go to Item B. Now we're coming out of the
21 director's monthly report, but I can touch on Item B a little
22 bit based on conversations with corp. Counsel. This is the
23 Review and Discussion of Liquor Commission Emergency Rules.
24 Now, this is the portion that is specific to the emergency
25 rules that were established by the liquor commission based on

1 the governor's proclamation. As of right now, it's my
2 understanding effective March 26th, all of the governor's
3 emergency proclamation will expire, including the indoor mask
4 mandate. Upon the expiration of the governor's proclamation,
5 it's gonna -- the effect that it has on the review -- on the
6 commission, liquor commission emergency rules are that that is
7 where our rules will be repealed based on the governor -- that
8 our rules were based on the governor's proclamation.

9 Now, the thoughts of the department are that we will
10 address this in -- or we can address this in our April
11 meeting, commission meeting, which will allow the department a
12 month to notify the licensees, let everybody know what's
13 happening, and to establish a date as far as the extension,
14 the 90-day extension for renewal of certification parts. Now,
15 I believe that that particular rule -- because that is based
16 on the rules of the liquor commission, if for whatever reason
17 that particular rule needs to be extended, that is something
18 that the commission can look at as far as extending if
19 necessary, whether that be the case or not. However, because
20 the emergency rules that apply to the other things like
21 takeout liquor from a licensed premises, home delivery, things
22 that were specifically addressed by our -- the liquor
23 commission's emergency rules basically are facing repeal in
24 either the April meeting unless -- and the choice is up to you
25 guys whether you want to hold a special meeting in regards to

1 that -- like I said, the governor's proclamation expires on
2 March -- midnight of March 25th and will no longer be in place
3 as of March 26th. And that's all I have in regards to that.
4 That's open for discussion, I believe.

5 CHAIR BOLOSAN: Okay. Commissioners?

6 COMMISSIONER ANDRION: (Gesturing.)

7 CHAIR BOLOSAN: Okay. If -- okay, Commissioner
8 Andrion.

9 COMMISSIONER ANDRION: So, Layne, just a follow-up
10 question. With the repeal, I do understand what he's saying,
11 but -- so if there is a repeal on that, then everything that
12 was prior to all of this emergency ruling goes back to normal?

13 DIRECTOR LAYNE N. SILVA: Yes, yes. More
14 specifically, the items that were being given an exception
15 based on the state law, things like home delivery, retail --
16 takeout drinks from a licensed premises. The extension of the
17 expiration of the certification card is something that is
18 based on liquor commission rules, so that particular portion
19 of the emergency rules is something that falls under your --
20 the jurisdiction of the commission whether to extend it or
21 not. They were given 90 days from the expiration of the
22 emergency rules that the cards that expired after March 1st,
23 2020, were gonna be considered still valid.

24 COMMISSIONER ANDRION: Up to 90 days?

25 DIRECTOR LAYNE N. SILVA: Up to 90 days.

1 COMMISSIONER ANDRION: Okay. So after those --
2 after the completion of 90 days or -- whatever 90 days is,
3 March, April, May, then they would have to apply for -- to
4 renew liquor license?

5 DIRECTOR LAYNE N. SILVA: They would have to obtain
6 a renewed certification card, yes, prior to the 90 days.
7 However, again -- and just so that everybody's on the same
8 page, there is a backlog as of right now in how many cards or
9 people that are trying to take the exam. We have upped the
10 number to 125 per week; we're hoping that will help alleviate
11 some of the backlog and some of what will become cards that
12 were not expired that are soon to be expired. We are hoping
13 that that can alleviate some of the pressure and help these
14 people obtain these certification cards sooner than later to
15 get ahead of the -- the bottleneck. But, you know, what it's
16 gonna look like in 90 days, it's hard to tell now.

17 COMMISSIONER ANDRION: So, I'm sorry, just one more
18 thing. So the online application, the thing that we were --
19 that your department has put on, that has alleviated the
20 backlog, but my understanding is there's more now because
21 of --

22 DIRECTOR LAYNE N. SILVA: It did not alleviate the
23 backlog. Because -- because of COVID, we weren't -- we were
24 restricted from giving the exam.

25 COMMISSIONER ANDRION: I see.

1 DIRECTOR LAYNE N. SILVA: So that created a backlog
2 in the fact that we weren't able to give the exam. Now we've
3 implemented the online exam, which has helped, but the -- it's
4 a bottleneck because there was already a backlog in place that
5 the extension of the expiration helped with, but I'm
6 projecting to see that when these extended cards begin to
7 expire, that, yeah, we may end up with another bottleneck
8 coming up soon and shortly.

9 CHAIR BOLOSAN: Okay, Vice Chair.

10 COMMISSIONER ANDRION: Okay, thank you.

11 CHAIR BOLOSAN: Thank you.

12 VICE CHAIR BECRAFT: Mr. Chair, and just to clarify
13 for Bobbie, I think -- hopefully this is helpful. You know,
14 we talked about this again on Wednesday when I met with --
15 with Layne. And for clarification, the bottleneck isn't the
16 exam; they have that -- they've put that out so -- because my
17 thing to him was, Well, then let's just -- it's computer, so
18 let's do a hundred, you know, 200 a week or 2,000. Who cares?
19 It's computer-generated. But the bottleneck is that when you
20 get all this influx of people, once they pass, they've gotta
21 come in and get their card, and that's gonna be -- gonna be
22 the problem. So I think, in short, what he's trying to say,
23 should this prove to be a bottleneck and that they're not able
24 to meet the numbers before the 90 days are up, he's gonna come
25 to us that we do have the ability to extend that blue card.

1 That, you know, even though it's expired, we could still
2 extend it again. That's, in short, what he's saying. So if
3 no more bottleneck, we're not gonna hear about it again. If
4 the thing does bottleneck, we may need to extend the period
5 then. That's it in a nutshell.

6 COMMISSIONER PATEL: Sounds good.

7 VICE CHAIR BECRAFT: I'm done, Mr. Chair, but
8 Kristine has her hand up.

9 CHAIR BOLOSAN: Go ahead, Kristine.

10 MS. TSUKIYAMA: Thank you. I'm sorry, I didn't sign
11 up to testify; I wanted to see where the conversation was
12 going first.

13 CHAIR BOLOSAN: Oh, I'm sorry. Apologize.

14 MS. TSUKIYAMA: No, no. According with the
15 commission's emergency rules that allowed restaurants to
16 provide -- sell liquor with takeout orders, I wanted to see if
17 there was any consideration or if there's any way that the
18 commission -- if they have the authority to extend that kind
19 of in the same way that Michele McLean gave licensees kind of
20 till June 25th so that they at least have some time to
21 transition. Because as you can imagine, a lot of the
22 restaurants, unlike someone had mentioned earlier, people
23 are -- still prefer to do takeout, and so a lot of the
24 restaurants still are able to survive and make -- you know,
25 have business by doing liquor with takeout. And for that kind

1 of all of a sudden be gone in the next two weeks, I was just
2 wondering if there is a way that the commission -- if they
3 have the authority or would consider more of a gradual change
4 to that rule by extending it, you know, for a small period
5 just so that licensees can kind of know and plan ahead that,
6 Hey, this is gonna stop, you know, we've gotta make sure we're
7 ready for it.

8 CHAIR BOLOSAN: Director, do you have any opinion on
9 that?

10 DIRECTOR LAYNE N. SILVA: You know, actually, I
11 don't. Now, what I can do is I can meet with corporation
12 counsel. See, the problem may arise if it's based on Hawaii
13 Revised Statute. If it's based on Hawaii Revised Statute,
14 then it goes beyond the scope of the liquor commission's
15 authority. If it's based on the liquor commission rules, then
16 you do have jurisdiction, and you would have the ability to,
17 you know, make changes to that. I don't want to speak out of
18 turn, so I think I am definitely gonna have to get more
19 information before I say anything more as far as how it's
20 related to either state law or county rule. I can tell you
21 this; a Class 2 restaurant license can -- they'll provide off-
22 premise catering for the liquor, it also can -- further, that
23 beer, malt beverage, or cider sold securely sealed or covered,
24 glass, ceramic, or metal container that is sold to or provided
25 by the patron if selected. So there are specific classes of

1 license that some form of this would still be allowed, but,
2 again, you know, I would need to do more research on that to
3 be able to answer specifically on what the authority is and
4 what the jurisdiction is.

5 CHAIR BOLOSAN: Thank you, Director.

6 VICE CHAIR BECRAFT: (Gesturing.)

7 CHAIR BOLOSAN: Vice Chair Becraft.

8 VICE CHAIR BECRAFT: Just a quick one just 'cause
9 I'm curious. Maybe Ms. Tsukiyama may know the answer to this
10 because she represents people. Does Oahu have -- are their
11 businesses able to do that? Are there other places in the
12 state that you know of that are doing what -- what's going on
13 here during the proclamation time?

14 MS. TSUKIYAMA: Actually, I don't know. Sorry.

15 VICE CHAIR BECRAFT: That's okay. We're gonna have
16 to run it by corporation counsel anyway, but thank you.

17 MS. TSUKIYAMA: Yeah, thank you.

18 CHAIR BOLOSAN: Okay.

19 COMMISSIONER ANDRION: Mr. Chair, I have a question.

20 CHAIR BOLOSAN: Commissioner Andrion. Bobbie.

21 COMMISSIONER ANDRION: Thank you, Mr. Chair.

22 This is for Kristine. And just to follow up, I know
23 you asked if there's a possibility for an extension and if it
24 should happen to have that possibility after -- after Director
25 Silva does his investigation, what timeframe are you looking

1 at?

2 MS. TSUKIYAMA: Well, right now, I believe the
3 rules, as Director Silva said, are looking to expire -- or do
4 expire at the end of the day March 25th, so it would be nice
5 if the commission was able to and has the authority to extend
6 it beginning March 26th at least for 60 days maybe.

7 COMMISSIONER ANDRION: Okay. So I'm just asking
8 that question so if --

9 MS. TSUKIYAMA: Yeah.

10 COMMISSIONER ANDRION: In the event that Director
11 Silva has an answer, that at least he has some numbers to work
12 with or days to work with.

13 MS. TSUKIYAMA: Yeah.

14 COMMISSIONER ANDRION: Yeah, 'cause --

15 MS. TSUKIYAMA: (Inaudible) Michele -- yeah, Michele
16 McLean, their -- their extension is going to June 25th, so
17 what is that? March, April -- three months. I mean, whatever
18 you folks would be able to do, we'd appreciate any -- any kind
19 of help.

20 COMMISSIONER ANDRION: Okay. Thank you.

21 CHAIR BOLOSAN: Thank you, Commissioner Andrion.

22 I see Dave Jorgensen raising his hand. Go ahead,
23 Dave.

24 MR. JORGENSEN: Thank you. I apologize. Just real
25 quick on the question of the tests being given online for

1 workers to get cards, I have a client, one in particular, that
2 has been trying -- they've been trying to book a time and,
3 Layne, you addressed this a little bit, but I would just
4 follow up with a request that if there's any way that can be
5 expanded or -- to more numbers for each test or more times per
6 week or per month, it's just hard -- and the one I am part of
7 is their fault for not getting on it sooner, but they don't
8 have any workers with a card, and we're coming up to where
9 they should be, hopefully, able to start operating soon and
10 they -- there's nobody, you know, they can't find workers out
11 there with a card who were looking to jump. So just a request
12 is if there's any way to amp that to provide more slots for
13 people trying to get cards, that would be really appreciated.

14 DIRECTOR LAYNE N. SILVA: Yeah. Let them know we
15 have and we are. We're increasing by 75 percent. We're doing
16 a hundred a week, and then our intention is to go a hundred a
17 week electronically as well as on the days that we can reserve
18 the classroom, we're gonna be doing an additional 25. So on a
19 full week, we'll be doing 125 a week.

20 MR. JORGENSEN: Okay.

21 DIRECTOR LAYNE N. SILVA: So hope -- yeah, that's
22 the plan.

23 MR. JORGENSEN: Thank you. I'll let them know to
24 get back in the -- the system right away because they've been
25 trying within the last few days. But I'll tell them to go for

1 it. Thank you.

2 DIRECTOR LAYNE N. SILVA: Yeah, yeah.

3 CHAIR BOLOSAN: All right. Thank you.

4 Commissioner Patel.

5 COMMISSIONER PATEL: Thank you, Chair. No, I'm glad
6 to see the increase in numbers, Layne, you know, I think it's
7 much needed. In terms of the cards being a backlog in terms
8 of, you know, I think someone had brought up that it's really
9 the card is somehow causing some of the delay as well, getting
10 the card. You know how you kind of go to the DMV, and they
11 print out right then and there like a temporary license? Is
12 it possible for at least some of this digital testing for that
13 company to say, Okay, here's your certification, or Here's
14 your temporary pass that can just be printed out so if, you
15 know, somebody from the liquor department did come, they'd
16 say, Well, here's my temporary pass, I'm waiting for my hard
17 copy, you know. I'm just kind of thinking a little bit
18 outside the box just to kind of alleviate some of that backlog
19 of, you know, everyone needing a physical card right away.

20 DIRECTOR LAYNE N. SILVA: Absolutely, that's a great
21 idea. I can follow up with the company or if there is some
22 way to come up with some temporary. See, the way it works
23 right now -- and like Jamie alluded to a little -- a little
24 bit earlier is what's happening is you'll take the test today,
25 you're notified that you pass, you come in as soon as

1 tomorrow, and we'll issue your card. But the problem becomes
2 when -- because the people that are actually issuing the card,
3 the physical bodies that are issuing the card are also our
4 front office staff. So it's when we get overloaded, you know.
5 Twenty-five a day is functional, is doable, we can even
6 probably expand on that a little bit, but that's -- that's
7 where the physical backup happens. So, yeah, if there's some
8 way to do that interim card; however, the expectation is that
9 you pass today, tomorrow you're gonna get your card, and, you
10 know, with that being the case, there shouldn't really be a
11 need. Because what we don't want to happen is you pass your
12 test today and then you don't come to get your card for three
13 days and then now on that third day instead of the 25 that we
14 expected to show up, 50 shows up. So it -- I mean, but, you
15 know, we're definitely flexible as far as that is concerned
16 because the goal is to get those cards out there and to get
17 them issued and get people certified.

18 CHAIR BOLOSAN: Okay. Did that answer you -- your
19 question, Sne?

20 COMMISSIONER PATEL: (Inaudible.)

21 CHAIR BOLOSAN: Any more?

22 (No response.)

23 CHAIR BOLOSAN: Well, if not, Director, you may go
24 ahead with your Administrative Affairs section.

25 DIRECTOR LAYNE N. SILVA: Okay, all right. So

1 moving on to the next item, if -- are we okay with time, Leon?

2 Are we okay?

3 CHAIR BOLOSAN: I'm okay. I just don't see Sylvia.

4 Sylvia, are you in the meeting?

5 COMMISSIONER HO: Yes, I am.

6 CHAIR BOLOSAN: Okay, all right. Okay. Go ahead,
7 Layne, and (inaudible) so we can speed it up, yeah, real soon
8 on the end of the meeting.

9 DIRECTOR LAYNE N. SILVA: This next one will be real
10 quick.

11 CHAIR BOLOSAN: Okay.

12 DIRECTOR LAYNE N. SILVA: Okay. Item C, Recognition
13 For Outcoming Chair Leon Bolosan and Commissioner Roberto
14 Andrion, Jr. Okay.

15 CHAIR BOLOSAN: A round-trip ticket to Las Vegas?

16 DIRECTOR LAYNE N. SILVA: Not quite, but I am gonna
17 read this document for you guys.

18 CHAIR BOLOSAN: Okay.

19 DIRECTOR LAYNE N. SILVA: When you -- when you
20 complete your term, you get one of these valuable documents
21 right here.

22 CHAIR BOLOSAN: Okay.

23 DIRECTOR LAYNE N. SILVA: "Resolution Honoring
24 Roberto Andrion, Jr., Liquor Control Commission.

25 The Liquor Control Commission proposes to adopt this

1 resolution in honor of Roberto Andrion, Jr. For his exemplary
2 services as a member of the Liquor Control Commission, and

3 "Whereas, Mr. Andrion has served as a member of the
4 Liquor Control Commission of the County of Maui for a period
5 from September 2018 to March 2022, and

6 "Whereas, the members of the Liquor Control
7 Commission, as well as the staff of the Department of Liquor
8 Control, have enjoyed the valuable services rendered by Mr.
9 Andrion in said capacities, and

10 "Whereas, the County of Maui and its citizenry have
11 greatly benefited from the unselfish and responsible services
12 rendered by Mr. Andrion during said period, and

13 "Whereas his expertise, thoughtful and cooperative
14 manner and conduct have been the source of much inspiration
15 and help to the fellow members of the Liquor Control
16 Commission, now therefore,

17 "Be It Resolved that the members of the Liquor
18 Commission" -- "Liquor Control Commission do hereby express
19 their sincere appreciation to Mr. Andrion for the competent
20 leadership and service as a member of the Liquor Control
21 Commission of the County of Maui, and do hereby wish him much
22 success in his future undertakings, and

23 "Be It Further Resolved that this resolution be
24 entered upon the minutes of this Commission and be forwarded
25 to Mr. Andrion.

1 "Adopted this 9th day of March, 2022." Signed by
2 Chairperson Leon Bolosan and Layne Silva, Director of the
3 Department of Liquor Control.

4 That's for you, Roberto, and that's not all. It
5 also comes with this stylish green County of Maui, State of
6 Hawaii folder, and an appreciation letter signed by Mayor
7 Michael P. Victorino, as well as this certificate to "Robert
8 Andrion, Liquor Control Commission." Congratulations,
9 Roberto. This is the part where somebody would be putting a
10 lei on you and saying congratulations, so that's a virtual lei
11 for you. Good for you, and thank you very much for your
12 service. We've appreciated your input, we've appreciated you
13 and your participation, and I'd just like to say that it's
14 gonna be different with you not being here, so thank you.

15 Okay, one more. Kind of very similar to it.

16 "Resolution Honoring Leon Bolosan, Liquor
17 Commission.

18 "The Liquor Commission proposes to adopt this
19 resolution in honor of Mr. Leon Bolosan for his exemplary
20 service as a member of the Liquor Commission, and

21 "Whereas, Mr. Bolosan has served as a member of the
22 Liquor Commission of the County of Maui for a period from
23 April 2017 to March 2022, as well as its chairperson from
24 April 2021 to March 2022, and

25 "Whereas, the members of the Liquor Commission, as

1 well as the staff of the Department of Liquor Control, have
2 enjoyed the valuable services rendered by Mr. Bolosan in said
3 capacities, and

4 "Whereas, the County of Maui and its citizenry have
5 greatly benefited from the unselfish and responsible services
6 rendered by Mr. Bolosan during said period, and

7 "Whereas, his expertise, thoughtful and cooperative
8 manner and conduct have been the source of much inspiration
9 and help to the fellow members of the Liquor Commission, now
10 therefore,

11 "Be It Resolved that the members of the Liquor
12 Commission do hereby express their sincere appreciation to Mr.
13 Bolosan for the competent leadership and service as a member
14 of the Liquor Commission of the County of Maui, and do hereby
15 wish him much success in his future undertakings, and

16 "Be It Further Resolved that this resolution be
17 entered upon the minutes of this Commission and be forwarded
18 to Mr. Bolosan.

19 "Adopted this 9th day of March, 2022." Also signed
20 by Vice Chairperson Jamie Becraft as well as Layne Silva,
21 Director of the Department of Liquor Control. That, again,
22 comes with the same very stylish green County of Maui, State
23 of Hawaii folder within a letter from Mayor Michael P.
24 Victorino, as well as your certificate issued to Leon Bolosan,
25 Liquor Control Commission. Again, thank you very much, Leon,

1 for your service. You've come a long way in the time that
2 you've been in there, and we appreciate your service; and I'd
3 like to thank you, and we'll miss you.

4 CHAIR BOLOSAN: Thank you, Director Silva. Thank
5 you all, everyone. I want to say some little words to my
6 brothers and sisters in the commission. I thank you for all
7 your support; you've been very more than nice and kind enough
8 to me. To the staff, thank you very much for all your
9 unconditional support to me. I do thank you, Jen Oana; I'm
10 gonna miss you. The other stuff before I do go that there was
11 something that I did not acknowledge, credit due to Lianne
12 Suzuki by helping the department to make online certificate
13 cards, you know, available (inaudible). Thank you, Lianne.
14 Okay. And if I miss anyone, I thank you all. Thank you very
15 much. You guys have been so nice and kind to me.

16 Okay, all right. So I want to move on a lot faster
17 so we can all do -- go have our lunch on the director's tab.
18 Again --

19 DIRECTOR LAYNE N. SILVA: Just one thing to add,
20 Leon, I'm sorry for interrupting.

21 CHAIR BOLOSAN: Okay.

22 DIRECTOR LAYNE N. SILVA: But I have you guys'
23 resolutions and your certificates here at the department. If
24 you'd like, you can come and stop by, pick them up in person;
25 if not, we can mail it to you. Either way, just let me know

1 how you guys want to do.

2 CHAIR BOLOSAN: Okay. I do thank you, appreciate
3 you.

4 Okay. Moving on a lot faster, thank you very much.
5 I'm gonna leave the election the last part of our meeting.
6 Just a reminder that CY2022 annual updated financial
7 disclosure, if you didn't turn them in yet, please do.

8 Okay. The liquor control adjudication board meeting
9 March 3rd, 2022, was canceled. There was no cases to be
10 adjudicated.

11 And this next thing for -- congratulations whoever
12 will be the chair, you will chair this. The next regular
13 meeting of the liquor commission is scheduled for April 13,
14 2022, at 9:00 a.m. Thank you very much.

15 Okay. So now we're gonna go back to we have our
16 election of the chair and vice chair for the liquor commission
17 for the period of April 2022 to March 2023. I would like to
18 entertain a motion for the chair position. Any?

19 COMMISSIONER DE MELLO: (Gesturing.)

20 CHAIR BOLOSAN: I see Jerrybeth. Go ahead.

21 COMMISSIONER DE MELLO: I'd like to -- I would like
22 to nominate for the liquor chair Bruce U'u.

23 CHAIR BOLOSAN: Okay. Any other nominee?

24 COMMISSIONER BOSWELL: Me. (Inaudible.)

25 CHAIR BOLOSAN: Jamie, you -- okay, you're breaking

1 up.

2 Did I hear you, Jamie?

3 VICE CHAIR BECRAFT: Not me.

4 CHAIR BOLOSAN: We have an echo. Okay. There's
5 feedbacks, guys.

6 Okay. Go ahead, Jamie.

7 VICE CHAIR BECRAFT: I'm sorry, Chair, that wasn't
8 me. I think -- I believe that was Aaron trying to speak. I
9 wasn't speaking.

10 CHAIR BOLOSAN: Oh, okay. I'm so sorry. Yeah,
11 Commissioner Boswell, you were breaking up, brother, so you go
12 ahead, you have the floor.

13 COMMISSIONER BOSWELL: Chair, I'd like to nominate
14 Jamie Becraft.

15 CHAIR BOLOSAN: Okay. Thank you, Commissioner
16 Boswell. So we have two nominees.

17 COMMISSIONER ANDRION: I'm sorry, Mr. Chair. Do you
18 need a second for a nomination on both?

19 COMMISSIONER DE MELLO: Yes.

20 COMMISSIONER U'U: Probably.

21 CHAIR BOLOSAN: Jen?

22 CORP COUNSEL OANA: Yes, Chair. Why don't you get a
23 second for both, and then we can talk about how to do the
24 election.

25 CHAIR BOLOSAN: Thank you.

1 CORP COUNSEL OANA: And then call for any other
2 nominations as well.

3 CHAIR BOLOSAN: Okay. Do I hear a second for the --
4 both nominees?

5 COMMISSIONER ANDRION: I'll second. I'll second for
6 Bruce.

7 CHAIR BOLOSAN: Okay. And I'll second for Jamie.
8 So is that legal?

9 Now we can move on. How would I do this?

10 COMMISSIONER ANDRION: Mr. Chair, you need to have
11 someone second Jamie's to make it official.

12 CHAIR BOLOSAN: Okay, all right. Who wants to
13 entertain for the second on Jamie Becraft, nominee for chair?
14 Second, someone?

15 COMMISSIONER ANDRION: Okay, I'll second. Is it
16 possible to second both?

17 COMMISSIONER DE MELLO: You can't. No, you can't do
18 that.

19 CHAIR BOLOSAN: Okay. If not, Chair will do the
20 second on that. Can I, Jen?

21 CORP COUNSEL OANA: I believe so, Chair. I think
22 you can.

23 CHAIR BOLOSAN: Just to make, you know, yeah, so we
24 can move forward. Okay? All right. So we've got the second.
25 Now, I -- Jen, I still need your input on that one. There's

1 two candidates right now --

2 CORP COUNSEL OANA: Chair.

3 CHAIR BOLOSAN: -- and how do I -- do we have you go
4 to a roll call who you vote for, or how we gonna do this?

5 CORP COUNSEL OANA: So you guys can kind of agree on
6 how you guys want to do this. You could call one at a time
7 and whoever gets, you know, five first can do it, or if you
8 wanted to do all in favor of, you know, Commissioner Becraft,
9 vote for Commissioner Becraft; all in favor of Commissioner
10 U'u; and whoever gets five in that way.

11 CHAIR BOLOSAN: Okay, all right.

12 CORP COUNSEL OANA: So there's a couple of ways you
13 can do that as long as the commission agrees.

14 CHAIR BOLOSAN: Okay, all right.

15 VICE CHAIR BECRAFT: Mr. Chair.

16 CHAIR BOLOSAN: Yes, Vice Chair Becraft.

17 VICE CHAIR BECRAFT: May I make -- may I make a
18 suggestion?

19 CHAIR BOLOSAN: Yes.

20 VICE CHAIR BECRAFT: I'd suggest that we just allow
21 us -- last time the way it went was, you know, you -- Bruce
22 would speak, you know, saying that he wants it and why, and I
23 would speak. And then I would suggest that we just --

24 CHAIR BOLOSAN: Oh, thank you, yeah.

25 VICE CHAIR BECRAFT: And I would suggest we go to

1 our roll call as we normally do and just tell the -- whoever,
2 you know. Like we'll use an example, you call, you say for my
3 vote, and then I would just say a name, I would say Bruce, or
4 I'd say myself, that way we don't have to repeat the process
5 more than once.

6 CHAIR BOLOSAN: Okay. So I should call on Bruce
7 U'u. Can I ask you to say why you want to be the chair?

8 COMMISSIONER U'U: Well, that's a good question,
9 that's a good question, you know, why. You know, I wouldn't
10 say no, I wouldn't say yeah, but I think I can -- one, I'm
11 humbled that I got a motion and second, that's one. Two, you
12 know, I think I can be as fair as possible. I've had past
13 experience as a chair. I'm not saying a good chair; I'm just
14 saying I had past experience as a chair. I think I can be
15 fair, and I hope to be fair if -- if, again, I get selected.
16 And, you know, I -- I had no idea, I just found out that this
17 is my last year. I served as a replacement. So much we pay
18 attention, I probably didn't pay attention as much as I should
19 have, but this is my last year. So if -- if I get the votes,
20 I'd be honored, and if not, I'll still be honored. And, you
21 know, I'll be fair regardless of where you put me, you know.
22 Again, I'll be humbled and fair regardless, humbled being a
23 part of this team anyway, and I'm looking to do good things
24 moving forward with whatever group we've got. Mine is, I
25 guess, the two outcoming people, and I'd like to thank those

1 two people who's outgoing. Thank you guys for setting a
2 leadership example. That's all I've got to say. Aloha.

3 CHAIR BOLOSAN: Okay. Thank you, Commissioner U'u.
4 Vice Chair Becraft, you want to say why you want to
5 be the chair for this commission?

6 VICE CHAIR BECRAFT: I too, I want to -- I want to
7 thank that I just got nominated, but -- and seconded. The --
8 mine will be I'm gonna speak of pluses and minuses. Big plus,
9 Bruce is a gifted, gifted person in multiple areas; I think
10 he'd be a great chair. I would have no problem if we put
11 Bruce in as chair. I do not speak as eloquently as he does; I
12 speak very -- you guys have heard me, I'm very black and
13 white, I just want to get a task done. So the plus to me is
14 we're gonna get there, you know. I want to continue to work.
15 I was very fortunate to work with Leon, you know, and I'm very
16 grateful for working with you because it did, you know, open
17 the door where I could get in and start working.

18 My knowledge in this area, I've never been a chair,
19 but my knowledge is law enforcement. I understand the inner
20 workings, and I just want everything to come across smoothly,
21 you know, for the -- for the applicants. I would be working
22 as the chair towards continuing that process, including
23 checklists and things, keep us all accountable and
24 transparent. With that all being said, it's -- my plus is I'm
25 task-oriented and I -- and I generally always meet my goals.

1 However, I will say this, if we go with Bruce, who's
2 definitely more diplomatic and communicates way better than I
3 do, yeah, then I'm good with that. I'm not saying that as a
4 negative; I'm saying that as a hundred percent positive, I
5 have no problem with that. If I were to be made the chair, I
6 would want Bruce as my second. If Bruce is made chair, I
7 would ask to be considered as second because I want to
8 continue my work. One way or another, my goal is to continue
9 the work that I've done. And like Bruce, I was a replacement
10 also, so I too am going out next -- with Bruce, Bruce and I
11 will be going out together. So I would not harbor any ill
12 will no matter which way this vote goes, but, you know, I'm
13 more of the trains coming through, so -- and remember, Bruce
14 is more diplomatic, so I would totally respect that.

15 And I do want to close with, again, reiterating I've
16 learned a lot with Leon in the last year, I truly appreciate
17 it, but Roberto, Roberto, and I, personally, I feel like I've
18 usually been on the other side of the fence as him. But as
19 time's gone, I really need Roberto, because he didn't have a
20 chance to talk to before -- you know, we didn't hear from you,
21 you know, after you got your resolution, but I'd really want
22 you to know that I truly respect you and you've taught me a
23 lot. Whether you realize or not, but I watch and listen to
24 you, though, the entire time, so I -- I am gonna miss both
25 you, and particularly you, Roberto, and that's -- that's all I

1 have. Thank you.

2 CHAIR BOLOSAN: Thank you, Vice Chair Becraft.

3 I thought of doing this -- Lianne, are you there
4 yet?

5 MS. SUZUKI: Yes, I am, Chair.

6 CHAIR BOLOSAN: Okay. I -- you know, in the future,
7 you're gonna find out that I think it's hard to find anyone
8 that probably would be more fair than myself, that I can stand
9 for that. Okay?

10 So what I'll do is I will call -- can I go right
11 down, Jen, on my list for all the commissioners and -- and
12 Lianne take down who they want for the chair? Is that would
13 be --

14 CORP COUNSEL OANA: Yes, Chair, and then whoever
15 gets five votes will win.

16 CHAIR BOLOSAN: Yes. Okay, all right. Okay. Now,
17 I'm gonna start off with your vote, Vice Chair Becraft.

18 VICE CHAIR BECRAFT: Again, I'll vote for myself,
19 but I absolutely have no problem with anybody voting for
20 Bruce.

21 CHAIR BOLOSAN: Okay. Lianne, you taking that?

22 MS. SUZUKI: Yes.

23 CHAIR BOLOSAN: Commissioner Andrion, your vote goes
24 to? Commissioner Andrion?

25 COMMISSIONER ANDRION: I'm sorry, Mr. Chair. I

1 would vote for Bruce U'u as the chair.

2 CHAIR BOLOSAN: Okay, Bruce U'u.

3 You taking down the votes, Lianne, yeah?

4 MS. SUZUKI: Yes, I am.

5 CHAIR BOLOSAN: Yeah, okay.

6 Commissioner U'u, your vote goes to?

7 COMMISSIONER U'U: I'll vote for myself on this.

8 And, again, same with Jamie, wherever it goes, it goes, I hold
9 no ill feelings at all.

10 CHAIR BOLOSAN: Okay, all right.

11 Commissioner Boswell, your vote goes to?

12 COMMISSIONER BOSWELL: I vote for Jamie Becraft.

13 CHAIR BOLOSAN: Okay. Thank you, Commissioner
14 Boswell.

15 Commissioner Ruidas, where your vote goes?

16 COMMISSIONER RUIDAS: I vote for Bruce.

17 CHAIR BOLOSAN: Okay.

18 CHAIR BOLOSAN: Commissioner Ho, your vote goes to?

19 COMMISSIONER HO: Very difficult decisions, yes, so
20 I'm gonna go with Bruce as the chair.

21 CHAIR BOLOSAN: Okay. Commissioner Patel.

22 COMMISSIONER PATEL: Yeah, also a tough one. I can
23 see both. I'm gonna go with Bruce.

24 CHAIR BOLOSAN: Okay. Now, the chair decline to
25 vote because I would be the one that -- to do the tiebreaker.

1 Both are well qualified; I love both of them, okay, so --

2 MS. SUZUKI: Chair, you forgot Jerrybeth De Mello.

3 CHAIR BOLOSAN: Oh, I'm so sorry.

4 Okay. Commissioner De Mello, I'm so sorry, go
5 ahead. Your vote goes to?

6 COMMISSIONER DE MELLO: Bruce U'u.

7 CHAIR BOLOSAN: Okay. Lianne?

8 MS. SUZUKI: Yes.

9 CHAIR BOLOSAN: So, Chair reserve the right because
10 I don't have no -- anywhere where I can do the tie; what is
11 your results on the decision for the chair?

12 MS. SUZUKI: The new chair would be Bruce U'u with
13 six votes; Jamie Becraft has two votes.

14 CHAIR BOLOSAN: Okay. Now, I love you both, guys.
15 Okay. Can we go on?

16 COMMISSIONER U'U: Thank you. Thank you for --
17 thank you for showing -- oh, I'm flattered, by the way. Thank
18 you.

19 And thank you, Jamie, also, by the way.

20 VICE CHAIR BECRAFT: Congratulations, brother. We
21 all know you're gonna do a good job.

22 CHAIR BOLOSAN: Okay. Now we're gonna go to
23 nominating for vice chair. Do I have a nomination?

24 COMMISSIONER DE MELLO: Yeah. I would like to --

25 COMMISSIONER ANDRION: Mr. Chair, Mr. Chair, I've

1 got a question. Before we open nomination, I do have a
2 question.

3 CHAIR BOLOSAN: Go ahead. Yes.

4 COMMISSIONER ANDRION: I know that Bruce and Jamie
5 going out next in one year; who do we have that's gonna be
6 longer than that? I'm sure Sylvia, and I don't know who else
7 would be there after next year. Can we have -- could I have
8 names of those people?

9 MS. SUZUKI: Jerrybeth De Mello is 2024. Aaron
10 Boswell is 2025, as well as Stan Ruidas. Sylvia Ho and Sne
11 are till 2026.

12 COMMISSIONER ANDRION: Okay. Thank you. Thank you.

13 MS. SUZUKI: Sure.

14 COMMISSIONER DE MELLO: Are we ready?

15 CHAIR BOLOSAN: Did that answer your question or any
16 more question before we open up for Vice Chair?

17 (No response.)

18 CHAIR BOLOSAN: Okay. Commissioner Andrion, what
19 was the --

20 COMMISSIONER ANDRION: Yes, I answered -- my
21 question was answered. Thank you. I just wanted to know
22 where everybody would fit in as far as the years on their --

23 CHAIR BOLOSAN: Yeah, yeah. I just wanted to make
24 sure that your question was answered. Thank you.

25 Now we're going for the vice chair. Do we have a

1 nomination?

2 COMMISSIONER DE MELLO: Leon, I would like to
3 nominate Jamie, Jamie Becraft.

4 CHAIR BOLOSAN: Okay, all right. Any more
5 nominations?

6 COMMISSIONER RUIDAS: (Gesturing.)

7 CHAIR BOLOSAN: Okay. Stan or Bruce.

8 COMMISSIONER U'U: No, no. Go ahead, Stan.

9 COMMISSIONER RUIDAS: I'd like to nominate myself.

10 CHAIR BOLOSAN: Okay, all right. Heard you well.

11 COMMISSIONER DE MELLO: Leon, you've gotta call for
12 the second.

13 CHAIR BOLOSAN: Okay, I will. Chair is calling for
14 the second for the first nominee. Okay, I see Sylvia.

15 COMMISSIONER HO: Chair, I second -- yes, Chair, I
16 second Jamie to be the vice chair.

17 CHAIR BOLOSAN: Okay, all right.

18 COMMISSIONER U'U: (Gesturing.)

19 CHAIR BOLOSAN: Bruce.

20 COMMISSIONER U'U: And I'll -- I'll second Stan.
21 I'll second Lanai. We get Lanai, yeah, I'll second Stan.

22 CHAIR BOLOSAN: Okay. Thank you.

23 COMMISSIONER U'U: Just for second sake.

24 CHAIR BOLOSAN: Bruce. Now I'm gonna go the same
25 process. I'm gonna call on Vice Chair Becraft; where is your

1 vote gonna go?

2 VICE CHAIR BECRAFT: I think we need to let us speak
3 first, though. Let Stan --

4 CHAIR BOLOSAN: Okay, all right. I'm so sorry. Go
5 ahead, Vice Chair Becraft. You have the floor; you can say
6 your piece.

7 VICE CHAIR BECRAFT: Yeah. In short, I think, you
8 know, I have nothing against Stan, whoever we pick is all
9 good, you know, none of us have animosity. I believe that,
10 you know, we all can do things. I'm just gonna speak for --
11 towards me. I do like the team of Bruce leading the charge
12 with his communication skills and stuff, and I just want --
13 I've been trying to share with the board for the last few
14 sessions letting you -- everybody know -- and I'm not sure if
15 everybody knew before, but, you know, we have pre-meetings
16 where I go into the office as the -- as the vice chair, and I
17 hash a lot of this stuff out with -- with Director Silva and
18 we -- and we were able to do a lot of direction in there. I
19 do feel that, you know, I've put in a lot of time. And I
20 don't mind it, I'm retired, so it's not like I don't have
21 spare time, but I put in a lot of time, I want to continue to
22 put in a lot of time. It is my last year; I want to put my
23 best foot forward. I'm gonna be a great support system for
24 Bruce because I will take on any task. And being here, it
25 makes it easy, because I can just go down to the office,

1 just -- and maybe I'm just not that comfortable, but just
2 seems so different to me communicating over the internet than
3 it does for the kind -- like when I get to sit in the office
4 with the director. But if we go with Stan, I'm certain he'll
5 do a good job too. And if we do that, I would suggest that we
6 do then address that we're gonna, you know, fly him over so
7 that he can do it in person because I think it would be just
8 more effective that way. I like -- if we're gonna go with
9 him, give him all the opportunity in the world. So, you know,
10 I would appreciate to continue and finish my last year moving
11 forward. I believe we're moving in the right direction
12 already through the leadership under Chair Bolosan. That's
13 all I have.

14 And good luck to you, Stan. Either way, it's all
15 good.

16 CHAIR BOLOSAN: Okay. Stan, you have the floor.

17 COMMISSIONER RUIDAS: Hello, everyone. You know,
18 and Jamie, you know, I respect you and, you know, you can do a
19 good job, but, you know, I think it's -- for me, I wanted to
20 step it up, you know. I've chaired before, I can do the job,
21 and I'll back up Bruce in any way he needs. I'll back up
22 Layne and the commission. And that's about it. It's -- you
23 know, I'll support the commission, whatever it takes. Thank
24 you.

25 CHAIR BOLOSAN: Okay, all right. Thank you, both.

1 Well said for both sides.

2 I'm gonna call for the vote. Lianne?

3 MS. SUZUKI: Ready.

4 CHAIR BOLOSAN: Okay. Vice Chair Becraft.

5 VICE CHAIR BECRAFT: I would be voting for myself.

6 Thank you.

7 CHAIR BOLOSAN: Commissioner Andrion. Commissioner
8 Andrion, Bobbie.

9 COMMISSIONER ANDRION: Okay, I'm still trying to
10 make a decision here. I know both candidates would be
11 outstanding, but I think everybody has -- would do what is
12 right for the commission.

13 CHAIR BOLOSAN: Okay.

14 COMMISSIONER ANDRION: Having -- having Stan on the
15 island of Lanai and all the other officers, per se, the other
16 officers would -- is on Maui, I would put my vote on Stan so
17 that he -- you know, there is more responsibility put on that
18 particular island in that sense. So my vote would go to Stan.

19 CHAIR BOLOSAN: Okay. Commissioner De Mello.

20 COMMISSIONER DE MELLO: Jamie.

21 CHAIR BOLOSAN: Your vote going to Jamie?

22 COMMISSIONER DE MELLO: Yes.

23 CHAIR BOLOSAN: Okay. Commissioner --

24 COMMISSIONER DE MELLO: So, Jamie -- oh.

25 CHAIR BOLOSAN: Yeah, I apologize.

1 COMMISSIONER DE MELLO: Yeah. Jamie, Jamie has done
2 good work for the department and, Jamie, I want to
3 congratulate you and on -- I saw you on TV with the salary
4 commission, and you were excellent, so, yeah, I'm supporting
5 Jamie.

6 CHAIR BOLOSAN: Okay, all right.

7 Commissioner U'u.

8 COMMISSIONER U'U: I'd like to say there's no bad
9 candidates, and I think Jamie did awesome; I think Jamie could
10 do awesome in this capacity, and -- I would like new blood.
11 And not disrespecting anybody, I think -- I think outer
12 islands are misrepresented, I think there's not enough. So
13 maybe if Aaron would say, I'd vote for Aaron too. So I'll be
14 voting for Stan on this one. And I know he's more than
15 capable, he humble, he quiet, but I know the brain is churning
16 all the time, so I'm voting for Stan.

17 CHAIR BOLOSAN: Thank you. Okay. Thank you, Bruce.
18 Commissioner Ruidas.

19 COMMISSIONER RUIDAS: Thank you, everyone. I'll
20 vote for myself.

21 CHAIR BOLOSAN: Thank you.

22 Commissioner Ho.

23 COMMISSIONER HO: I'll go with Jamie.

24 CHAIR BOLOSAN: Okay, all right.

25 Commissioner Patel. Sne?

1 COMMISSIONER PATEL: I'll go with Stan.

2 CHAIR BOLOSAN: Okay. Where we at now?

3 MS. SUZUKI: Aaron Boswell, did he vote?

4 CHAIR BOLOSAN: Oh, I did not call Aaron. Did I
5 call Aaron? So where we at with --

6 COMMISSIONER BOSWELL: I'll vote for Jamie.

7 CHAIR BOLOSAN: Okay. Where we at right now?

8 COMMISSIONER DE MELLO: Split.

9 MS. SUZUKI: Four votes for Stan --

10 CHAIR BOLOSAN: Oh, boy, you guys.

11 MS. SUZUKI: -- and four votes for Jamie.

12 CHAIR BOLOSAN: This is the place where I didn't
13 want to be.

14 COMMISSIONER ANDRION: That's why you're the chair,
15 Mr. Chair.

16 COMMISSIONER U'U: That's why you make the big
17 money. That's why you make the big money.

18 CHAIR BOLOSAN: Oh, my goodness, you guys. Man,
19 I -- I'm torn, okay? I'm torn. What can I say? Oh, my
20 goodness.

21 COMMISSIONER DE MELLO: A vote.

22 CHAIR BOLOSAN: Okay. Who did say something?

23 COMMISSIONER DE MELLO: You said, "What can I say,"
24 and I said a vote.

25 CHAIR BOLOSAN: Oh, my gosh. Yeah.

1 COMMISSIONER U'U: Calling you out, brother.

2 CHAIR BOLOSAN: Yeah, you know, I did really, what
3 you call, had a blast with Jamie, you know. We don't agree
4 all the time, yeah, and I've seen the intelligence that comes
5 from -- from Stan also, you know, he's the man that hardly
6 said anything, but when he said something, made a lot of
7 sense.

8 My goodness. Can I flip a coin? Can we flip a
9 coin, two guys? Okay. Before I give my vote, I'm gonna say,
10 you know, there's nothing personal, okay, Jamie? I know you
11 still want to continue doing your work, okay? Okay. Oh,
12 brother. You guys would hate me if I go either way, yeah.

13 COMMISSIONER U'U: No more hate, brother.

14 CHAIR BOLOSAN: Yeah, yeah, okay. Okay, boy. You
15 guys put me in -- I'm torn, you know, both -- both are really
16 good, and I really, you know -- oh, brother. So both sides
17 would -- you forgive me for my vote, yeah, Jamie and Stan.
18 Guys, help me.

19 COMMISSIONER DE MELLO: (Inaudible) Leon.

20 CHAIR BOLOSAN: Oh, brother. You know, it's not
21 that I -- you know, the -- I'm looking at both approaches
22 because I'm the kind of guy that my approach would be
23 different. Let me ask you, Stan -- excuse me, guys, I'm torn
24 to both of you. You know, I just want to be fair here. Okay.
25 Stan, how would you take this if I voted for Jamie?

1 COMMISSIONER RUIDAS: I have no problem with that,
2 you know, Jamie has done a good job, I mean.

3 CHAIR BOLOSAN: Yeah, okay.

4 COMMISSIONER RUIDAS: You know, I'm just saying
5 that, you know, maybe I can help in different ways.

6 CHAIR BOLOSAN: Okay. I'm gonna throw that question
7 to you too, Jamie. Can I throw that question to you also?

8 VICE CHAIR BECRAFT: Oh, Leon, I'm sorry that this
9 is tearing at you so hard.

10 CHAIR BOLOSAN: Yeah, you know, I mean --

11 VICE CHAIR BECRAFT: I will speak this --

12 CHAIR BOLOSAN: I love you all, you know what I
13 mean? And I know you all can do a good job, yeah.

14 VICE CHAIR BECRAFT: I will speak for Stan and I.
15 There's no way neither of us are gonna come back at you
16 because you had to make a decision.

17 CHAIR BOLOSAN: Yeah, yeah.

18 VICE CHAIR BECRAFT: Like Stan said, you know, he
19 wants to bring a different -- I'm not sure what he means, what
20 he's gonna bring different.

21 CHAIR BOLOSAN: Yeah, yeah.

22 VICE CHAIR BECRAFT: And to me, what -- you know
23 exactly what I want to bring and where I'm headed. And I
24 just -- you know, that's the thing, you're just gonna have to
25 do the -- do whatever you think based on what you know. And

1 there's no question on me; I don't know -- I'm not sure -- if
2 you know more about Stan than I do, then you go with Stan. If
3 you don't like my direction or anything, then go with Stan,
4 and that's life, that's the way it goes, you know.

5 CHAIR BOLOSAN: Okay. One more call. Bruce, help
6 me on this one? Although you voted for Stan.

7 COMMISSIONER DE MELLO: Leon.

8 CHAIR BOLOSAN: Oh, man. I love you both.

9 COMMISSIONER DE MELLO: Come on, you can do it,
10 Leon. You can do it. You can do this. Go on.

11 CHAIR BOLOSAN: Can we -- can we flip a coin,
12 rather? Okay. And I know this commission will -- will go on
13 still the same, you know, you guys gonna --

14 COMMISSIONER DE MELLO: It's 12:08.

15 COMMISSIONER HO: Chair, I really have to -- I need
16 to end this session because I need to be someplace.

17 CHAIR BOLOSAN: Okay, yeah. Thank you, Sylva. And
18 I think it's not actually your vote anymore; it is me, yeah.
19 So you already voted and -- oh, brother. My heart telling
20 me -- I'm sorry so, man, whatever I -- I decide is that --
21 because my approach of doing things is not the same way as to
22 how you approach stuff, Jamie. So I'm so sorry that -- you
23 know, you been a big help for me, but I -- whether my vote
24 goes to Stan, I know you're still gonna be able to, you know,
25 speak your heart. I just wanted to see more people to get

1 involved, and whether I vote for Stan, I know you will always
2 be heard. So sorry, Jamie, but my vote will go for Stan.
3 Okay?

4 COMMISSIONER DE MELLO: Okay.

5 CHAIR BOLOSAN: Okay, yeah. Okay. So now, is there
6 any more we didn't cover before we go adjourn, Layne?

7 COMMISSIONER U'U: Congratulations, Stan.

8 COMMISSIONER ANDRION: Mr. Chair, I'd like to say
9 something to the commission.

10 CHAIR BOLOSAN: Yes, go ahead.

11 COMMISSIONER ANDRION: Basically, sometimes this
12 type of voting is very difficult.

13 CHAIR BOLOSAN: Yes.

14 COMMISSIONER ANDRION: It's just something that
15 we've gotta do, and basically, I hope that this way of voting,
16 which I don't think we need to have any alternative aside from
17 making it secret, is basically -- it's a thing that -- that we
18 have to face.

19 CHAIR BOLOSAN: Yeah.

20 COMMISSIONER ANDRION: But I know the commission, I
21 know the group of people that's here, and you're right, Jamie,
22 there are times that we sit on different sides of the fence,
23 but we always come together. And I think even though we went
24 through this turmoil of picking who the leaders are, I think
25 that even if you are not a leader, for any -- anyone else, I

1 think that their input will be well heard and every input that
2 comes in on the commission, all nine of you guys -- I say you
3 guys because, yes, we are at the wee hours of our term and I
4 think my out coming message is you all can work together,
5 whether who is in the leadership position or not. And if it
6 takes new blood to actually steer this ship in a direction,
7 you guys should all grow in the same direction so that that
8 ship gets where it's at. And I think that whoever the thing
9 is, whoever the -- we voted, and I think that should be always
10 welcome. And I know, Jamie, I know your heart's in everything
11 that you do, and I'm sure that you will maintain your -- your
12 hawk eye looking at things still moving forward. But
13 congratulations to all of you guys that basically are staying
14 back while me and Leon move on, moving out to something else.
15 But I did enjoy your company once a month or even twice a
16 month.

17 CHAIR BOLOSAN: Thank you, Robert. You know, my
18 vote -- actually, you know, I do thank you a lot, Jamie, you
19 know, you did support me in many, many ways. I also learned,
20 you know, different, you know, ways of approaching problems
21 and whatnot. The reason why I did, you know, pick Stan is
22 because, you know, his style of doing business, and I know
23 that you -- don't matter whether you're the chair or vice
24 chair, I know that you will be heard anyway. And, brother,
25 thank you for all your unconditional, you know, help while I

1 was the chair. I do see that you means well; you put in, you
2 know, unconditional passion. And the time that you have
3 given, you know, to all our meetings, I really, you know,
4 respect for all those, you know, time. The reason why I went
5 for, you know, Stan us because whether you will be the chair
6 or vice chair, I just wanted to up the involvement on the
7 commission. I know you will be heard. Okay? What can I say?
8 I love you, Jamie. I love you all, yeah.

9 COMMISSIONER U'U: Ditto.

10 COMMISSIONER DE MELLO: Leon.

11 CHAIR BOLOSAN: Yes.

12 COMMISSIONER DE MELLO: Yeah, I want to say
13 something. Thank you for all you've done, you and Bobbie, and
14 looking at your going out, that you would be prosperous.

15 Stan, I welcome you on the board as part of the vice
16 chair, and I know that going forward, we have a lot of things
17 gonna be coming up that needs attention and Bruce is gonna
18 need your help big time when have to go and solicit the
19 county.

20 And, Bruce, I welcome you as the chair.

21 And, Jamie, did you an awesome job. Like I said,
22 you know, I saw you on TV when you were doing the salary
23 commission, and I know that you've done a lot of research for
24 the liquor department, and I thank you. So --

25 CHAIR BOLOSAN: Thank you, Jerrybeth.

1 Any more before I call on for adjournment?

2 COMMISSIONER DE MELLO: Layne has something.

3 DIRECTOR LAYNE N. SILVA: Leon.

4 CHAIR BOLOSAN: Yes.

5 DIRECTOR LAYNE N. SILVA: I -- just a quick
6 acknowledgment, apologize to Bobbie. Bobbie, I'm sorry I went
7 through the resolution so quickly, and I didn't give you an
8 opportunity to speak. So I would like at this time if you do
9 have -- you know, after the resolution, I apologize that I
10 didn't give you an opportunity to say some parting words, so
11 I'd like to offer you that opportunity now if that's okay with
12 you.

13 COMMISSIONER ANDRION: Thank you, Layne. I think I
14 basically did say what I wanted to say, but, like I said, this
15 commission is a very important one. I have to admit this is
16 my first commission that I've been involved in, but I think
17 that, you know, we work together. I know sometimes we don't
18 agree with each other, but that's the whole part when we put
19 our human nature aside. But again, this whole -- the
20 commission itself will run very well, I think, with the group
21 of people that you have.

22 And that's all that I have, but there's one more
23 comment that I'd like to make. You know, Chair Bolosan asked
24 for a trip to Vegas. You could probably give him -- give him
25 one, but not roundtrip, maybe halfway, a halfway ticket. But

1 that's -- all joking aside, but, hey, thank you for giving me
2 the opportunity, everybody, and I really appreciate it, and
3 hopefully, we will meet further down in another venture.

4 CHAIR BOLOSAN: Okay. Thank you, Robert.

5 DIRECTOR LAYNE N. SILVA: Much appreciation to you,
6 Bobbie, and you also, Leon. I really enjoyed the time spent
7 with you guys, and I appreciate your guys' participation.
8 Thank you.

9 CHAIR BOLOSAN: Thank you, Layne.

10 And thank you, Jamie, nothing personally. I love
11 you. Like I said, whether you chair or vice chair, I know you
12 will still be heard. Just wanted to up more things for the
13 commission and more involvement for Stan to make it better for
14 the commission. Thank you very much.

15 Being that said now, is there any more? Is there
16 any further question or comment by the commission? May I ask
17 for the last time I have the table?

18 (No response.)

19 CHAIR BOLOSAN: If not, okay, may I have someone to
20 move a motion for adjournment?

21 VICE CHAIR BECRAFT: Mr. Chair, I motion we adjourn
22 and congratulate Stan and Bruce.

23 CHAIR BOLOSAN: Oh, thank you, Jamie.

24 Okay. Second?

25 COMMISSIONER U'U: (Gesturing.)

1 CHAIR BOLOSAN: Bruce.

2 COMMISSIONER U'U: I'd like to second. And Stanley
3 on -- and Roberto for all their hard work and loving Jamie's
4 fire. Jamie, keep your fire coming, brah; we need 'em, just
5 to let you know.

6 CHAIR BOLOSAN: Yeah, same here. Same here.

7 COMMISSIONER U'U: Congratulations, Stan.

8 And I'm humbled, by the way, I'm humble. You set
9 the bar high, Leon; I've gotta up my game.

10 CHAIR BOLOSAN: Thank you very much. I just wanted
11 to try my best to be fair.

12 COMMISSIONER U'U: You are very fair.

13 CHAIR BOLOSAN: You know, my approach is totally,
14 you know, I want to always humble myself. Thank you very
15 much, you all. Okay. Aloha.

16 (The proceedings were adjourned.)

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C E R T I F I C A T E

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that on March 9, 2022, at 9:06 a.m. the proceedings was taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 17th day of March, 2022, in Maui, Hawaii.

Sandra J. Gran

Sandra J. Gran, RPR
Hawaii CSR 424