

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

AGENDA – FORTY-SIXTH MEETING

THURSDAY, JUNE 25, 2009
4:00 P.M.

APPROVAL OF MINUTES:

The regular minutes of the 38th (4/23/09) and 43rd (5/28/09) meetings, and the executive session minutes of the 43rd (5/28/09) meeting, as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

1. Trans. Appl. No. 09-15
from Sun Ann Hong, LLC
For the transfer of the business and Cabaret General license of Komoko, LLC, dba Fashion 45, 2255 Kuhio Avenue, Suite M-1, and for a change of trade name to Black Diamond Nightclub (Prelim. Hrg. 4/16/09)

(Continued from June 9, 2009)
2. Trans. Appl. No. 09-30
from MLKC, LLC
For the transfer of the business and Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) of KDJS Venture, LLC, dba Therapy Sports Grill, 7192 Kalaniana'ole Highway, #D-105, and for a change of trade name to MLKC, LLC (Prelim. Hrg. 5/28/09)

PUBLIC HEARINGS: (CONT.)

3. Trans. Appl. No. 09-31 from Taurian BA, LLC (nka Black Angus Steakhouses, LLC) For the transfer of the business and Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing) of ARG Enterprises, Inc., dba Cattle Company Steakhouse, 98-1262 Kaahumanu Street, Pearl City (Prelim. Hrg. 6/4/09)
4. Trans. Appl. No. 09-32 from Valley Market, Inc. For the transfer of the business and Retail General license of Universal Foods Enterprise, Inc., dba Valley Market, 2402 10th Avenue, and for a change of trade name to Valley Market, Inc. (Prelim. Hrg. 5/28/09)
5. Application No. 1566 from Seven-Eleven (Hawaii), Inc., dba 7-Eleven Stores, 98-1277 Kaahumanu Street, Aiea (Waimalu Shopping Plaza; approximately 210 feet makai/Honolulu of the intersection of Kaahumanu Street and Moanalua Road) For a Retail General license (Prelim. Hrg. 5/7/09)

PRELIMINARY HEARINGS:

6. Trans. Appl. No. 09-34 from New Hilltop Corporation For the transfer of the business and Retail General license of Soon Nyo LLC, dba Hill Top Grocery & Liquor, 94-307 Farrington Highway, #A-1A, Waipahu

PRELIMINARY HEARINGS: (CONT.)

7. Trans. Appl. No. 09-35 from RTW Hawaii Corporation

For the transfer of the business and Dispenser General license (Categories No. 2, 3 and 4 – Nudity; Live entertainment or Recorded Music and Dancing; and Hostess), of Li-Li-Li Corporation, dba Tres Jolie, 1646 Kona Street, and for a change of trade name to Club Red Rose

8. Application No. 423 from Puka Panty LLC, dba The Manifest, 32 North Hotel Street (mauka side of North Hotel Street, approximately 135 feet Ewa of Nuuanu Avenue)

For a Dispenser General license (Category No. 3 – Live entertainment or Recorded Music and Dancing)

9. Application No. 808 from Noriko Kail, dba Bar Paparazzi, 1200 Ala Moana Boulevard (second floor of Ward Centre, Building No. 2, Space B0002229; mauka side of Ala Moana Boulevard, approximately 70 feet Kokohead of Kamakee Street)

For a Brew Pub General license (Category No. 2 – Live entertainment or Recorded Music and Dancing)

PRELIMINARY HEARINGS: (CONT.)

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| 10. Application No. 809 from
Noriko Kail, dba Bar
Paparazzi, 1200 Ala
Moana Boulevard
(second floor of Ward
Centre, Building No. 2,
Space B0002229; mauka
side of Ala Moana
Boulevard, approximately
70 feet Kokohead of
Kamakee Street) | For a Cabaret General license
(Category No. 1 – Standard Bar) |
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LICENSE APPLICATIONS:

Temporary License Applications:

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| 11. Appl. No. 424-T from
New Hilltop Corporation,
dba Hill Top Grocery &
Liquor | For a Temporary Retail General
license at 94-307 Farrington
Highway, #A-1A, Waipahu, the
present site of Hill Top Grocery &
Liquor |
| 12. Appl. No. 425-T from
RTW Hawaii Corporation,
dba Club Red Rose | For a Temporary Dispenser
General license (Categories No. 2,
3, and 4 – Nudity; Live
entertainment or Recorded Music
and Dancing; and Hostess) at
1646 Kona Street, the present site
of Tres Jolie |
| 13. Appl. No. T-0807 from
Noriko Kail, dba Bar
Paparazzi | For a Stand-Alone Temporary
Brew Pub General license
(Category No. 2 – Live entertain-
ment or Recorded Music and
Dancing) at 1200 Ala Moana
Boulevard, the present site of The
Brew Moon, Ward Centre LLC |

LICENSE APPLICATIONS: (CONT.)

Temporary License Applications: (Cont.)

14. Appl. No. 1568-T from Taurian BA, LLC (nka Black Angus Steakhouses, LLC), dba Cattle Company Steakhouse
- For a Temporary **Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing)** at 98-1262 Kaahumanu Street, Pearl City, the current site of Cattle Company Steakhouse

(Continued from June 4, 2009)

(originally agendaed on June 4, 2009 as Dispenser General license (Category No. 2 – Live entertainment or Recorded Music and Dancing)

Stock Transfer Applications:

15. Appl. No. 27 from Izakaya Restaurant & Lounge, LLC, dba New T. Time, Dispenser General license (Categories No. 3 and 4 - Live entertainment or Recorded Music and Dancing; and Hostess), 706A Sheridan Street (E1327)
- For approval of the transfer of membership interest and notification of new members and membership holders
- (Continued from May 28, 2009)
16. Appl. No. 31 from Aili, Inc., dba Club New D'Amour, Dispenser General license (Categories No. 3 and 4 – Live entertainment or Recorded Music and Dancing; and Hostess), 1362 B Kapiolani Boulevard (E1255)
- For approval of the transfer of capital stock and notification of new officer, director, and stockholder

REQUESTS:

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| 17. Host International Inc. and GRL Corp., dba Host Honolulu Joint Venture Company - Gate 12 Bar, Dispenser General license (Category No. 1 – Standard Bar), Honolulu International Airport (E1060) | Requesting approval to permanently extend and alter the interior of its licensed premises |
| 18. F.L. Inc., dba Don Ho's Island Grill, Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing), One Aloha Tower Drive, Space 193 (R0497) | Requesting approval to temporarily extend its licensed premises, 20 feet by 100 feet, in the makai direction adjoining Pier 9, from 3:00 p.m., Thursday, July 2, 2009 to 2:00 a.m., Friday, July 3, 2009 |
| 19. F.L. Inc., dba Don Ho's Island Grill, Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing), One Aloha Tower Drive, Space 193 (R0497) | Requesting approval to temporarily extend its licensed premises, 20 feet by 100 feet, in the makai direction adjoining Pier 9, from 3:00 p.m. to 10:00 p.m., Friday, July 3, 2009 |
| 20. F.L. Inc., dba Don Ho's Island Grill, Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing), One Aloha Tower Drive, Space 193 (R0497) | Requesting approval to temporarily extend its licensed premises, 20 feet by 100 feet, in the makai direction adjoining Pier 9, from 3:00 p.m., Saturday, July 11, 2009 to 2:00 a.m., Sunday, July 12, 2009 |

REQUESTS: (CONT.)

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| 21. 'Elua Ventures, Inc., dba
'Elua Restaurant & Wine
Bar, Dispenser General
license (Category No. 1 –
Standard Bar), 1341
Kapiolani Boulevard,
1 st Floor (E1455) | Requesting approval to provide
live entertainment or recorded
music and dancing on a 90-day
trial basis, pursuant to Section
281-47, HRS |
| 22. VIP Restaurant, Inc., dba
Club Tsunami, 655
Keeaumoku Street, No. 105 | Requesting reinstatement of
Dispenser General License
No. E1267, which was voluntarily
cancelled on May 21, 2009 |

(Continued from June 4, 2009)

ADJUDICATION HEARINGS:

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| 23. Café Lulu Rara
(LCV 09-0061)
(R0750) | Licensee permitted liquor of any
kind, while in bottle, glass or other
container, to be open and readily
consumable within the licensed
premises before or after the hours
established by the Liquor
Commission, to wit, 2:29 a.m.
(Violation of Rule 3-82-38.20(b))
(Date of violation: On or about
May 2, 2009) |
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ADJUDICATION HEARINGS: (CONT.)

24. Mall Café
(LCV 09-0042)
(E1407)

Licensee failed to keep its premises in a clean and sanitary condition, including furnishings, equipment, paraphernalia, and drinking glasses, and/or failed to comply with all rules of the State Department of Health, to wit, bottles of liquor contained small dead insects (Violation of Rule 3-84-72.1) (Date of violation: On or about February 13, 2009)

(Continued from June 4, 2009)

25. Mall Café
(LCV 09-0050)
(E1407)

- (1) Licensee permitted patrons on the licensed premises to have more than one drink at a time for consumption (Violation of Rule 3-84-78.52) (Date of violation: On or about March 7, 2009)
- (2) Licensee either sold, served, furnished, or allowed the consumption of liquor by a person who was at the time under the influence of liquor (Violation of Section 281-78(b)(1)(B), HRS) (Date of violation: On or about March 7, 2009)
- (3) Licensee failed to have on the licensed premises a time card or other adequate record indicating when its employee began and/or ended his/her work on said day (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about March 7, 2009)

ADJUDICATION HEARINGS: (CONT.)

- Mall Café (4) Licensee failed to keep its premises in a clean and sanitary condition, including furnishings, equipment, paraphernalia, and drinking glasses, and/or failed to comply with all rules of the State Department of Health, and/or failed to provide access to adequate toilet facilities (Violation of Rule 3-84-72.1) (Date of violation: On or about March 7, 2009)
- (Continued from June 4, 2009)
26. The Shack Waikiki, LLC Licensee failed to immediately prevent or suppress violent, quarrelsome, disorderly, lewd, immoral, or unlawful conduct of any person on the premises, to wit, one of Licensee's bouncers forcefully ejected a female patron from the premises, causing injury to patron, and/or Licensee's other employees in the vicinity failed to subdue the bouncer's handling of this situation, and/or Licensee's bouncer and other employees in the vicinity failed to render assistance as patron lay prone and motionless on the ground (Violation of Section 281-78(b)(6), HRS) (Date of violation: On or about January 11, 2009)
- (LCV 09-0050)
(E1407)
(Cont.)
- (LCV 09-0071)
(I0121)

OTHER BUSINESS:

27. Mr. Chris Kahunahana
on behalf of Next Door
Partners LLC, dba Next
Door Partners LLC,
43 N. Hotel Street

Requesting waiver of Rule 3-82-
31.4 to allow:

- 1) Late filing of license renewal
application; and
- 2) Late submission of tax
clearance certificate

(Continued from June 4, 2009)

28. Keith M. Kiuchi, Esq.,
on behalf of Anekona
Islander, LLC, dba Ilikai
Hotel, 1777 Ala Moana
Blvd.

Motion of court-appointed receiver
of licensee for waiver of Rule 3-
82-31.4 to allow:

- 1) Late filing of application to
renew license for fiscal year
2008-2009; and
- 2) Substitution of tax clearance
certificate to be filed by court-
appointed receiver in place of
tax clearance certificate for
Anekona Islander, LLC

29. Liquor Administrator

Re: Notice of Petition and Hearing
for non-renewal of Dispenser
General License No. E1407 issued
to Saiming Corporation, dba Mall
Café, fka Club Pauahi, 80 South
Pauahi Street

(Continued from June 4, 2009)

30. Liquor Administrator

Ratification of Administrative
Actions Report for May 2009

OTHER BUSINESS: (CONT.)

31. Liquor Administrator

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

32. Liquor Administrator

Executive Session — Confer with Commissioners regarding personnel and employment matters, in accordance with HRS 92-5(a)(2)

If you require an accommodation or auxiliary aid and/or services to participate in this meeting (i.e., sign language or foreign language interpreter), please call the Administrative Services Officer at 768-7336 at least 72 hours prior to the meeting.