

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

AGENDA – TWELFTH MEETING

THURSDAY, SEPTEMBER 17, 2009
4:00 P.M.

PUBLIC HEARINGS:

1. Appl. No. 585 from MNS, Ltd., dba Island Country Markets, 92-1048 Olani Street, Suite 4-101, Kapolei (northeast corner of Ko Olina Station shopping complex; approximately 129 feet north of the northeast corner of Olani Street and Ali`inui Drive) For a Retail General license (Prelim. Hrg. 7/23/09)
2. Appl. No. 703 from RDR, LLC, dba RDR, LLC, 508 Waiakamilo Road, #508-1 (approximately 90 feet makai of the corner of Waiakamilo Road and Colburn Street, Ewa side) For a **Dispenser General license (Categories No. 3 and 4 - Live entertainment or Recorded Music and Dancing; and Hostess)** (Prelim. Hrg. 7/23/09)
(Amended to Dispenser General license (Category No. 3))

PRELIMINARY HEARINGS:

3. Appl. No. 1408 from Craft Enterprises LLC, dba Craft Enterprises LLC, 98-425 Kamehameha Highway, Building 4, Pearl City (approximately 100 feet east of the Hawaiian Electric Company Waiiau Power Plant) For a Restaurant Beer and Wine license (Category No. 2 – Live entertainment or Recorded Music and Dancing)
4. Appl. No. 1416 from Luibueno LLC, dba Luibueno’s Mexican Seafood Restaurant & Fish Market, 66-165 Kamehameha Highway, Haleiwa (Kaena side of Kamehameha Highway, approximately 850 feet Honolulu of the intersection with Emerson Road) For a Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing)
5. Appl. No. 1418 from SDE Concepts Inc., dba Ka Restaurant & Lounge, 1200 Ala Moana Boulevard, Space B004216 (Ward Centre) For a Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing)
6. Appl. No. 1427 from Thai Anh Kiet Le, dba Ohana Gift and Sundry, 2345 Kuhio Avenue, Store #7 & 8 (Miramar Hotel, ground floor) For a Retail General license
(Continued from September 10, 2009)

LICENSE APPLICATION:

Temporary License Application:

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| 7. | Appl. No. T-1426 from
Thai Anh Kiet Le, dba
Ohana Gift and Sundry | For a Stand-Alone Temporary
Retail General license at 2345
Kuhio Avenue, No. 7, the former
site of Hana Gift & Sundries |
| | | (Continued from September 10,
2009) |

REQUESTS:

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| 8. | Yang's Corporation, dba
Wahiawa Market, Retail
General license, 302
California Avenue,
Wahiawa (D0473) | Requesting waiver of Rule 3-82-
31.4(b) to allow late submission of
tax clearance certificate to pick up
its liquor license for fiscal year
2009-2010 |
| 9. | Sun Ann Hong, LLC, dba
Black Diamond Nightclub,
Cabaret General license,
2255 Kuhio Avenue,
Suite M-1 (I0102) | Requesting modification of
21-and-over condition

(Transfer Application No. 09-15
granted, with conditions, on
June 25, 2009; license not yet
issued. Temporary Cabaret
General License No. I0102-T
expired June 26, 2009) |

ACCEPTANCE OF PLEA AND ADOPTION OF DECISION AND ORDER:

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| 10. | Pane & Vino
(LCV 09-0059) | For acceptance of plea and
adoption of Decision and Order |
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ADOPTION OF DECISION AND ORDER:

- | | | |
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| 11. | Club New D'Amour
(LCV 09-0099) | For adoption of Decision and
Order |
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ADOPTION OF DECISION AND ORDER: (CONT.)

12. Da Smoke House BBQ
(LCV 09-0117)

For adoption of Decision and
Order

ADJUDICATION HEARINGS:

13. Hilton Hawaiian
Village
(LCV 09-0062)
(L0005)

Licensee made or permitted to be made from its licensed premise, or an adjacent area under Licensee's control, noise which (1) resulted in a complaint from one or more resident(s) or tenant(s) in the vicinity, and (2) exceeded the maximum permissible sound levels as set forth in Rule 3-82-38.23(a) (Violation of Rule 3-82-38.23(b)) (Date of violation: On or about April 30, 2009)

14. Hilton Hawaiian
Village
(LCV 09-0083)
(L0005)

Licensee made or permitted to be made from its licensed premise, or an adjacent area under Licensee's control, noise which (1) resulted in a complaint from one or more resident(s) or tenant(s) in the vicinity, and (2) exceeded the maximum permissible sound levels as set forth in Rule 3-82-38.23(a) (Violation of Rule 3-82-38.23(b)) (Date of violation: On or about May 21, 2009)

ADJUDICATION HEARINGS: (CONT.)

15. Silk Lady Lounge (LCV 08-0324) (E0953)
- (1-3) Licensee encouraged and/or permitted a person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitalia of herself or any other person, either directly or through the clothing or any other material (Violations of Rule 3-84-78.042) (Date of violations: On or about December 9, 2008)
- (4-6) Licensee's employee consumed liquor while on duty on the licensed premises (Violations of Rule 3-84-78.01(b)) (Date of violations: On or about December 9, 2008)
- (7-9) Licensee's employee solicited or accepted food or beverage, alcoholic or otherwise, as a gift from or at the expense of a customer while on duty at the licensed premises (Violations of Rule 3-84-78.01(c)) (Date of violations: On or about December 9, 2008)

ADJUDICATION HEARINGS: (CONT.)

Silk Lady Lounge (10-14) Licensee failed to have on the
(LCV 08-0324) licensed premises a time card or
(E0953) other adequate record indicating
(Cont.) when its employee began and/or
ended his/her work on said day
(Violations of Rule 3-82-38.4(b))
(Date of violations: On or about
December 9, 2008)

(Charges 1 to 4, 7 to 9: Contested
charges; pleas of denial entered
4/23/09)

(Charges 5, 6, 10 to 13: For
penalty phase only; no contest
pleas accepted 4/23/09)

(Charge 14: Withdrawn 5/14/09)

*(History: 3/19/09; 4/23/09;
5/14/09; 9/3/09)*

OTHER BUSINESS:

16. Naomi Cole, Esq., on
behalf of BW Front Desk
LLC, dba Trump
International Hotel and
Tower at Waikiki Beach
Walk, 223 Saratoga Road
- Requesting waiver of Rule 3-83-
53.1(a)(1)(xvii)b requiring a copy
of the application for registration of
the condominium hotel operator
approved by the Real Estate
Commission to be submitted before
application accepted for processing

(Application for Condominium
Hotel General license submitted but
not yet accepted for filing)

OTHER BUSINESS: (CONT.)

17. Liquor Administrator Re: Appl. No. 46 from Genius Lounge Inc., dba Genius Lounge Inc., 346 Lewers Street (ewa side of Lewers Street, approximately 120 feet makai of Kuhio Avenue), for a Restaurant General license (Category No. 2 – Live entertainment or Recorded Music and Dancing) – 2nd review of granted application; Update progress in permitting and construction
- (Application granted August 30, 2007; license not yet issued)
- (1st review of granted application heard March 5, 2009)
- (History: 2/19/09; 2/26/09; 3/5/09)*
18. Liquor Administrator Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination
19. 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.