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

TRANSCRIPT OF PROCEEDINGS  
REGULAR MEETING

Held at the Department of Liquor Control Conference Room, David K. Trask, Jr. Office Building, 2145 Kaohu Street, Room 108, Wailuku, Maui, Hawaii, commencing at 9:00 a.m., on August 14th, 2019.

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

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APPEARANCES

COMMISSION MEMBERS PRESENT:

CHAIRPERSON:

NANE ALULI

VICE-CHAIRPERSON:

ROY UMENO

COMMISSIONERS:

LEON BOLOSAN

ALBERTA DE JETLEY

LESLIE ANN YOKOUCHI

ROBERTO ANDRION, JR.

JERRYBETH DE MELLO

PEDRO VENENCIANO

STAFF PRESENT:

FIRST DEPUTY CORPORATION COUNSEL:

EDWARD KUSHI, JR.

DIRECTOR:

GLENN MUKAI

LIQUOR CONTROL OFFICER III:

LAYNE SILVA

COMMISSION SECRETARY:

SALIKA KHANGSENGSING

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(August 14th, 2019, 9:00 a.m.)

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CHAIR ALULI: Okay. Let's call the meeting to order. (Gavel.) Thank you.

Maria, you want to start roll call.

MS. KHANGSENGSING: Good morning. Maria Khangsengsing, department of liquor.

COMMISSIONER DE MELLO: Good morning. I'm Jerrybeth De Mello from Lahaina.

COMMISSIONER DE JETLEY: Good morning. I'm Alberta de Jetley from Lanai.

COMMISSIONER ANDRION: Good morning. Roberto Andrion, Jr. from Maui.

MR. KUSHI: Ed Kushi, corp counsel's office.

CHAIR ALULI: Aloha. Nane Aluli.

COMMISSIONER UMENO: Good morning. Roy Umeno.

COMMISSIONER BOLOSAN: Aloha. Leon Bolosan.

COMMISSIONER YOKOUCHI: Good morning. Leslie Yokouchi.

COMMISSIONER VENENCIANO: Good morning, aloha. Pedro Venenciano, Molokai.

DIRECTOR MUKAI: Glenn Mukai, liquor control.

OFFICER LAYNE SILVA: Layne Silva, liquor control.

CHAIR ALULI: Thank you very much.

Can I move on to getting an approval for the agenda

1 for our August 14, 2009 (*sic*) meeting.

2 COMMISSIONER DE JETLEY: Mr. Chair, I move to  
3 approve our agenda.

4 COMMISSIONER DE MELLO: Second.

5 CHAIR ALULI: All in favor?

6 (Response.)

7 CHAIR ALULI: Thank you very much.

8 Move on to Item 3, Minutes. Can I get an approval  
9 for our liquor commission minutes of July 10th, 2019?

10 COMMISSIONER UMENO: So moved.

11 COMMISSIONER BOLOSAN: Second.

12 CHAIR ALULI: All in favor?

13 (Response.)

14 CHAIR ALULI: Thank you very much.

15 Okay. Let's move on to Public Testimony.

16 Item 5, General Licensing Matters. May I get a  
17 confirmation on Items A through G, a motion for confirmation  
18 for Items A through G.

19 COMMISSIONER UMENO: I move to approve A through G.

20 COMMISSIONER BOLOSAN: Second.

21 CHAIR ALULI: All in favor?

22 (Response.)

23 CHAIR ALULI: It's been approved.

24 All right. Let's move on to Item 5, Licensing  
25 Matters, Public Hearings. Application No. 25, Maui Rum

1 Society.

2 MS. TSUKIYAMA: Good morning, Chair, Commission  
3 Members.

4 CHAIR ALULI: Yeah.

5 Layne, please.

6 Sorry.

7 MS. TSUKIYAMA: Sorry.

8 MR. LAYNE SILVA: Application No. 25, the applicant  
9 is Maui Rum Society, LLC doing business as Muck and Dunder.  
10 The proposed premises is located at 2050 Main Street,  
11 Unit 1-B, Wailuku, Maui, Hawaii.

12 This is a public hearing for a new Dispenser General  
13 License, Category C(ii).

14 The documents necessary for completing the remaining  
15 application requirements for a liquor license are listed in  
16 the summary report.

17 Notice of public hearing was published in the Maui  
18 News on June 19th and 26th, 2019.

19 There are a total of 115 owners and lessees situated  
20 within 500 feet of the proposed premises.

21 The department did not receive any protests.

22 Upon further inspection of the premises, the  
23 premises is requesting an outside area also for dining and  
24 consumption off of the Main Street, Wailuku. The department  
25 is going to recommend that they maintain a certified employee

1 in that area whenever it's being utilized for liquor  
2 consumption because of the lack of visibility from inside the  
3 premises to the outside area.

4 CHAIR ALULI: Okay. Thank you, Layne.

5 Go ahead.

6 MS. TSUKIYAMA: Good morning.

7 CHAIR ALULI: You're on.

8 MS. TSUKIYAMA: Kristine Tsukiyama. And with me is  
9 Suzanne Navarro.

10 MS. NAVARRO: Good morning.

11 CHAIR ALULI: Thank you. Okay. Plead your case.

12 MS. TSUKIYAMA: Nothing further to add.

13 CHAIR ALULI: Nothing further to add?

14 MS. TSUKIYAMA: Yeah.

15 CHAIR ALULI: And you're going to have that  
16 certified individual out there; right?

17 MS. NAVARRO: Yes. Our plan is to have a host or  
18 similar to a matre d' that would stand out there all day and  
19 then at nights, a security guard. So someone to just stand  
20 out there and just make sure everything's running smoothly.  
21 We want to make sure that everything is taken care out of  
22 there. That was our plan from the beginning that the host  
23 stand would be outside.

24 CHAIR ALULI: Okay.

25 MS. NAVARRO: Yes.

1 CHAIR ALULI: All right. Good.

2 MS. TSUKIYAMA: And it is -- they're going to have  
3 planters and gates to make sure it's an enclosed --

4 CHAIR ALULI: Area.

5 MS. TSUKIYAMA: -- space, yeah.

6 CHAIR ALULI: Right.

7 MS. NAVARRO: It will be an enclosed space.

8 CHAIR ALULI: Okay. Good.

9 All right. Since this is public system, is there  
10 anybody in the audience that wants to give testimony?

11 Yes. Please step up, state your name, you've got  
12 three minutes.

13 MS. WRIGHT: Okay. Thanks.

14 CHAIR ALULI: Thank you.

15 MS. WRIGHT: I'm Carolyn Wright. I'm director of  
16 programs with Maui Academy of Performing Arts, MAPA, and we  
17 own the building that they are planning on putting their bar  
18 in. And I just wanted to testify in support of this. I also  
19 sit on the -- on the board for the Wailuku Community  
20 Association and as you know, we're working really hard to try  
21 to create some revitalization efforts in Wailuku. And  
22 regardless of where you stand on the -- on the Wailuku Civic  
23 Hub, there's a lot of work happening kind of behind the scenes  
24 with property owners/business owners trying to create -- you  
25 know, breathe new life into Wailuku.

1           And so MAPA is building a small what we call a black  
2 box theater. It's just a little small theater in the back of  
3 the building facing what is now the municipal parking lot.  
4 The county offices used to be in there for -- I think it  
5 was -- I think it was the planning department used to be in  
6 there on the ground floor and that's now going to be a  
7 theater. So in order to create that kind of synergy, give  
8 people a reason to come down to Wailuku, stay in Wailuku if  
9 they've been working here all the day, the idea is that we  
10 would create arts opportunities and then along with those arts  
11 opportunities, we need the restaurants and the bars to be  
12 fully up and functioning so that people can have that full  
13 experience.

14           And we know -- you know, you don't have to look very  
15 far, just look at Chinatown in Honolulu and the opportunities  
16 that were created for that community to go from what was sort  
17 of a blighted -- you know, a lot of blight in that community  
18 to now a thriving, wonderful to go with young people, old  
19 people, everybody there. It was that combination of the arts  
20 and culture and restaurants and bars that really were working  
21 together to create a community where people felt safe, people  
22 felt welcome, and people want to hang out.

23           So we are in support of this project. Maui Academy  
24 of Performing Arts, as you know, we have lots of children and  
25 I know, you know, there might be some concern, Oh, a bar so



1 close to MAPA's operations, but all of our children's  
2 operations happen across the street in the old National Dollar  
3 Store building, so there's really no -- no worry there.

4 CHAIR ALULI: Great.

5 MS. WRIGHT: Any questions or -- no?

6 CHAIR ALULI: No. Okay. Thank you very much.  
7 Appreciate it.

8 Commissioners, do any of you have any questions  
9 or -- you want to put forth?

10 (No response.)

11 CHAIR ALULI: If there aren't, can I get a motion  
12 for approval.

13 MR. KUSHI: Question.

14 CHAIR ALULI: All right.

15 MR. KUSHI: Mr. Chair, a question for staff.  
16 Is the Maui Promenade Building?

17 MR. LAYNE SILVA: Yes.

18 MR. KUSHI: And this outside area you're talking  
19 about, is that public, public property?

20 MR. LAYNE SILVA: The area that they're -- they  
21 propose as part of their licensed premises, they have a lease  
22 for --

23 MR. KUSHI: Oh, okay.

24 OFFICER LAYNE SILVA: -- that they can patrol.

25 MR. KUSHI: The outside premises would be part of

1 the lease?

2 MR. LAYNE SILVA: Yes.

3 CHAIR ALULI: Okay. Any other questions?

4 (No response.)

5 CHAIR ALULI: Okay. Can I get a motion for  
6 approval, then.

7 COMMISSIONER DE JETLEY: Mr. Chair, I move to  
8 approve this application.

9 COMMISSIONER DE MELLO: Second.

10 CHAIR ALULI: All in favor?

11 (Response.)

12 CHAIR ALULI: Anybody not in favor?

13 (No response.)

14 CHAIR ALULI: Okay. Motion passes. Thank you very  
15 much. Appreciate it.

16 MS. TSUKIYAMA: Thank you.

17 MS. NAVARRO: Thank you, everyone.

18 CHAIR ALULI: Okay. Move on to Item B, Miko's  
19 Cuisine, LLC.

20 Layne.

21 MS. ISRAEL: Good morning.

22 CHAIR ALULI: Go ahead. Please state your name.

23 MS. ISRAEL: Oh, sorry. Miko Israel.

24 CHAIR ALULI: Oh, thank you.

25 MS. ISRAEL: I'm a Jewish Japanese/Korean. Thank

1 you.

2 CHAIR ALULI: Thank you.

3 Layne.

4 MR. LAYNE SILVA: Miko's Cuisine, LLC doing business  
5 as Miko's cuisine, a Dispenser General License, Category  
6 C(ii).

7 The manager, member, and agent of the manager-  
8 managed LLC is listed in the investigator's report.

9 Licensee is requesting commission approval to change  
10 to a Class 2 Restaurant General License, Category B(ii). The  
11 rules of the liquor commission in regards to that are listed  
12 in the investigator's report also.

13 A financial report was submitted by the licensee on  
14 July 22nd, 2019. After reviewing the 12 months financial  
15 report, it is found that the licensee does meet the  
16 requirements in which at least 30 percent of the  
17 establishment's gross revenue is derived from the sale of  
18 foods for a Class 2 Restaurant License.

19 CHAIR ALULI: Okay. Thank you, Layne.

20 Do you have anything further to add?

21 MS. ISRAEL: Not at all. Everybody request to get a  
22 catering and then I didn't even know that I didn't have a  
23 restaurant license.

24 CHAIR ALULI: Have a license.

25 MS. ISRAEL: Yes. So I told I had -- I own a

1 restaurant, so I found out, so I apply then.

2 CHAIR ALULI: Good. That's a good step. Good.

3 Since this is public hearing, is there anybody in  
4 the audience that wants to provide testimony?

5 (No response.)

6 CHAIR ALULI: Not -- not seeing anybody,  
7 Commissioners, are there any questions on your part?

8 (No response.)

9 CHAIR ALULI: If not, can I get a motion for  
10 approval, then.

11 COMMISSIONER UMENO: I move to approve.

12 COMMISSIONER DE JETLEY: I second.

13 CHAIR ALULI: All in favor?

14 (Response.)

15 CHAIR ALULI: Any denials?

16 (No response.)

17 CHAIR ALULI: No. Motion carries. Thank you very  
18 much.

19 MS. ISRAEL: Thank you so much. Thank you. Have a  
20 nice day.

21 CHAIR ALULI: Okay. Let's move on to Preliminary  
22 Hearings. Item A, Application No. 27, Thai Paradise LLC.

23 MS. VISETH: Good morning.

24 MR. JORGENSEN: Good morning, Chair, Members of the  
25 Commission, and Staff. My name is Dave Jorgensen. I'm the

1 attorney appearing on behalf of applicant Thai Paradise LLC.  
2 With me this morning is the member/manager of the LLC, Soey  
3 Viseth.

4 CHAIR ALULI: Thank you very much.  
5 Layne.

6 OFFICER LAYNE SILVA: Application No. 27, Restaurant  
7 General, Category B(ii). The applicant is Thai Paradise LLC  
8 doing business as Thai Paradise Kitchen, applying for a  
9 Restaurant General License, Category B(ii).

10 The member, manager, agent, and organizer of the  
11 member-managed LLC; personal history statements; criminal  
12 history statements; and lease are all listed in the  
13 investigator's report.

14 The proposed premises consists of approximately  
15 1,730 square feet of ground floor space and an outdoor patio  
16 area of 407 square feet. It's located at 300 Maalaea Road,  
17 1H, 1I, and 1J, Wailuku, Maui, Hawaii.

18 There are no schools, churches, or licenses of this  
19 class and kind located within a radius of 500 feet.

20 There are four dispenser general licenses located  
21 within a radius of 500 feet.

22 There are 120 licenses of this class and kind  
23 currently issued within Maui County.

24 Applicant initially plans to be open seven days a  
25 week from 8:00 a.m. to 2:00 a.m.

1           A site inspection was conducted on the proposed  
2 premises.

3           In the opinion of this investigator, the applicant  
4 appears to be fit and proper and does not appear to be  
5 disqualified by any provision as stated within Section 281-56  
6 HRS from obtaining or exercising a liquor license.

7           All documents necessary for the issuance of a liquor  
8 license have not been submitted. Those items are listed in  
9 the investigator's report.

10           CHAIR ALULI: Okay. Thank you, Layne.

11           Dave, do you have anything more to add?

12           MR. JORGENSEN: The only additional information is  
13 my client is working with the other departments in the county  
14 to get the approvals that will be necessary, but we are,  
15 obviously, at the beginning of the process with the  
16 department, so she's anxious to move ahead.

17           CHAIR ALULI: Okay. Good.

18           All right. Again, since this is a public hearing,  
19 is there anybody in the audience that wants to provide  
20 testimony?

21           (No response.)

22           CHAIR ALULI: Not seeing any, Commissioners, any  
23 comments or concerns you might have?

24           (No response.)

25           CHAIR ALULI: No? Then can I get a motion for

1 approval?

2 COMMISSIONER YOKOUCHI: So moved.

3 COMMISSIONER DE MELLO: Second.

4 CHAIR ALULI: All in favor?

5 (Response.)

6 CHAIR ALULI: Denials?

7 (No response.)

8 CHAIR ALULI: No? Okay. Motion carries.

9 Thank you very much.

10 MR. JORGENSEN: Thank you very much.

11 CHAIR ALULI: Appreciate it.

12 MR. JORGENSEN: Have a good day.

13 CHAIR ALULI: Okay. Let's move on to Item B,  
14 Application No. 28, Guava Tree LLC.

15 MR. KUEHU: Good morning.

16 CHAIR ALULI: Good morning.

17 MR. KUEHU: Alvin Kuehu.

18 CHAIR ALULI: Okay, Alvin. Thank you very much.  
19 Layne.

20 MR. LAYNE SILVA: Application No. 28, Dispenser  
21 General, Category C(ii). Applicant is Guava Tree, LLC doing  
22 business as "To Be Named" applying for a Dispenser General  
23 License, Category C(ii).

24 Member, agent, and organizer of the member-managed  
25 LCC; personal history statements; criminal history statements;

1 and lease are all listed in the investigator's report.

2 The proposed premises consisting of approximately  
3 2,523 square feet is located at 270 Waiehu Beach Road, Suite  
4 106, Wailuku, Maui, Hawaii.

5 There are no schools or churches located within a  
6 radius of 500 feet.

7 Ray's Deli and New Sandy's Lounge are licenses of  
8 the same class and kind located within a radius of 500 feet.

9 There is one retail general license located within a  
10 radius of 500 feet.

11 There are 109 licenses of this class and kind  
12 currently issued within Maui County.

13 Applicant initially plans to be open seven days a  
14 week from 8:00 a.m. to 2:00 a.m.

15 A site inspection needs to be conducted of the  
16 proposed premises.

17 Information contained within the DLC-006 form  
18 submitted by Alvin Kuehu, Jr. indicated that he had been  
19 convicted for a violation of law.

20 Information received during the criminal history  
21 background check revealed that information received --  
22 revealed that Alvin Kuehu, Jr. had been convicted for  
23 convictions of law.

24 Alvin Kuehu, Jr. has submitted a letter of  
25 explanation.



1 All documents necessary for the issuance of a liquor  
2 license have not been submitted. Those items are listed in  
3 the investigator's report.

4 There is an additional supplementary report that  
5 applicant Guava Tree LLC, "To Be Named." On July 26, 2019 at  
6 3:09 p.m. the department received an amendment to the  
7 application identifying the trade name of the premises as  
8 Guava Tree Bar & Grill.

9 CHAIR ALULI: Okay. Thank you, Layne.

10 Alvin, do you have anything further to add?

11 MR. KUEHU: No.

12 CHAIR ALULI: No. Is your location where Watercress  
13 was?

14 MR. KUEHU: Yes.

15 CHAIR ALULI: Okay.

16 MR. KUEHU: Yes.

17 CHAIR ALULI: So you're occupying that space.

18 MR. KUEHU: Yes.

19 CHAIR ALULI: All right. Since -- again, since this  
20 is public testimony, is there anybody in the audience that  
21 wants to give testimony?

22 (No response.)

23 CHAIR ALULI: Not seeing any, Commissioners, are  
24 there any questions on your part?

25 COMMISSIONER YOKOUCHI: Yes.

1 CHAIR ALULI: Yes, Leslie.

2 COMMISSIONER YOKOUCHI: I was just wondering, are  
3 you gonna be another hostess bar?

4 MR. KUEHU: No, no hostess. More of a local, local  
5 bar.

6 CHAIR ALULI: Okay.

7 MR. KUEHU: Entertainment.

8 CHAIR ALULI: Same kind of food for the most part?

9 MR. KUEHU: We changed the menu.

10 CHAIR ALULI: Yeah. Okay. Cool.

11 Anybody else?

12 (No response.)

13 CHAIR ALULI: Okay. Can I get a motion for  
14 approval?

15 COMMISSIONER BOLOSAN: Move to approve.

16 COMMISSIONER DE MELLO: Second.

17 CHAIR ALULI: It's been moved and seconded. All in  
18 favor?

19 (Response.)

20 CHAIR ALULI: Any denials?

21 (No response.)

22 CHAIR ALULI: No? Motion carries. Thank you very  
23 much.

24 MR. KUEHU: Thank you.

25 CHAIR ALULI: Thanks, Alvin.

1           Okay. Let's move on to Administrative Affairs.  
2 Item A, Approval of Forms. In your packet you've got the four  
3 forms that are being addressed here.

4           Layne, do you want to give us kind of a background  
5 on these forms?

6           MR. LAYNE SILVA: Yes. The first form, DLC-001, is  
7 a license application checklist. What has changed, because of  
8 recent changes in state law where they allow support for an  
9 applicant to apply as a restaurant from day one, right off the  
10 bat, based on the rules of -- the requirements of the rule  
11 that the applicant or the potential licensee submit a  
12 financial report prior to the fifth day of every month proving  
13 their 30 percent gross revenue derived by food sales, we've  
14 added -- on the checklist we've added the requirement for that  
15 certification to be turned in as part of the application, that  
16 the applicant is certifying that they will comply with the  
17 rules as stated.

18           CHAIR ALULI: Which is the 30 percent; right?

19           MR. LAYNE SILVA: Yes. That's on page 3 of 5.

20           CHAIR ALULI: Okay.

21           MR. LAYNE SILVA: Highlighted in yellow.

22           MR. KUSHI: Mr. Chair.

23           CHAIR ALULI: Yes.

24           MR. KUSHI: Question.

25           CHAIR ALULI: Yes.

1 MR. KUSHI: Layne, what if, you know, they submit  
2 these reports and then come to find out they're not meeting  
3 the 30 percent?

4 MR. LAYNE SILVA: Well, the rule requires that they  
5 maintain the 30 percent, so if they cannot maintain for 12  
6 consecutive months 30 percent gross revenue derive by food  
7 sales, then they would be downgraded to a Dispenser General.

8 MR. KUSHI: Okay. So it's over a period of 12  
9 months?

10 MR. LAYNE SILVA: Consecutive 12 months, yeah.

11 CHAIR ALULI: And, Layne, who's responsible for  
12 determining that they are meeting that?

13 MR. LAYNE SILVA: The department. They're  
14 submitting their --

15 CHAIR ALULI: Receipts.

16 MR. LAYNE SILVA: -- their financial reports where  
17 it's a comparison from food to liquor sales and the  
18 department -- I believe it's the auditor, yeah?

19 DIRECTOR MUKAI: Yeah.

20 MR. LAYNE SILVA: -- that is calculating to make  
21 sure that they're maintaining that.

22 CHAIR ALULI: So the liquor department vets that,  
23 then? They're the ones that are looking to make sure that  
24 they're maintaining at least that 30 percent food sales?

25 MR. LAYNE SILVA: Yes, yes.

1 CHAIR ALULI: Okay. Okay.

2 MR. LAYNE SILVA: Okay. Next is the application for  
3 special liquor license, DLC-016. Because, again, a change in  
4 state law, the addition of a 501(c)(7) as a qualified  
5 applicant for a special license, we have added them to the  
6 list. They've been added to the -- to the application for  
7 special license. That is the only change.

8 CHAIR ALULI: That's the only change, that  
9 501(c)(7); right?

10 MR. LAYNE SILVA: Yes.

11 CHAIR ALULI: Okay.

12 OFFICER LAYNE SILVA: To the DLC-016.

13 CHAIR ALULI: Yeah.

14 MR. LAYNE SILVA: Then the DLC-030, which is the  
15 checklist for the special license application has also  
16 included the 501(c)(7) as a qualified nonprofit entity.

17 And the other thing that was changed on the  
18 checklist is the liquor liability insurance was considered a  
19 remaining requirement. It was a requirement that they could  
20 submit seven days prior to the function, that has been moved  
21 up to become a requirement that would be required to submit at  
22 the time they submit their application.

23 CHAIR ALULI: I see. Okay.

24 Are there any questions? Any of the commissioners  
25 have any questions so far?

1 (No response.)

2 CHAIR ALULI: No? Okay.

3 MR. LAYNE SILVA: Okay. And then next we have DLC-  
4 031 --

5 Oh, I'm sorry, and also that that special license  
6 application checklist, it's listed in your agenda as the DLC-  
7 30, it's actually DLC-030.

8 And then Item No. 4, DLC-031 is the new form, that  
9 is the restaurant certification that we are providing to the  
10 applicants that are applying as a restaurant from day one and  
11 this is becoming a requirement for them to submit with -- as  
12 part of their application.

13 CHAIR ALULI: Okay. Again, Commissioners, any  
14 questions about the forms?

15 (No response.)

16 CHAIR ALULI: No?

17 COMMISSIONER DE JETLEY: Yeah, I do.

18 CHAIR ALULI: Yeah.

19 COMMISSIONER DE JETLEY: Excuse me, Mr. Chair.

20 CHAIR ALULI: Go ahead.

21 COMMISSIONER DE JETLEY: So on all of these forms,  
22 are -- can an applicant pick it up online?

23 DIRECTOR MUKAI: Yes. Once it's approved, we'll put  
24 it online and it'll be a fillable form.

25 COMMISSIONER DE JETLEY: A fillable form. Good.

1 CHAIR ALULI: Well, that's good. Speeds up the  
2 process.

3 Okay. Item B, Director's Monthly Report.

4 DIRECTOR MUKAI: We have -- we have to have approval  
5 for the forms.

6 CHAIR ALULI: Oh, sorry.

7 COMMISSIONER ANDRION: Excuse me.

8 CHAIR ALULI: Yes.

9 COMMISSIONER ANDRION: I've got one question --

10 CHAIR ALULI: Yes.

11 COMMISSIONER ANDRION: -- on this. When you're  
12 saying sales of food, is there -- is there any specific thing  
13 as far as food would contain like anything that you put in  
14 your mouth or how is that --

15 MR. LAYNE SILVA: The food sales does not include  
16 beverages, soft drinks, but, yeah, pretty much anything else  
17 you can put in your mouth.

18 CHAIR ALULI: Okay.

19 COMMISSIONER ANDRION: Okay. Thank you.

20 CHAIR ALULI: All right.

21 COMMISSIONER DE JETLEY: I have another question.

22 CHAIR ALULI: Yes, Alberta.

23 COMMISSIONER DE JETLEY: So the food that they -- at  
24 the restaurant, it has to be prepared in that facility or can  
25 it be catered in from somewhere else?

1 OFFICER LAYNE SILVA: No. It has to be prepared in  
2 a department of health approved kitchen within the premises.

3 COMMISSIONER DE JETLEY: Within the premises. Okay.

4 CHAIR ALULI: Any other questions?

5 (No response.)

6 CHAIR ALULI: Okay. Then can I get a motion for  
7 approval for those four forms.

8 COMMISSIONER BOLOSAN: Move to approve.

9 COMMISSIONER DE JETLEY: I second.

10 CHAIR ALULI: All in favor?

11 (Response.)

12 CHAIR ALULI: Okay. There aren't any denials.  
13 Motion carries. Thank you very much. The forms are approved.

14 Glenn, before we move on to you, I'd just like to  
15 welcome our new board member. Pedro, welcome.

16 COMMISSIONER VENENCIANO: Thank you.

17 CHAIR ALULI: From Molokai, you're on Molokai; is  
18 that right?

19 COMMISSIONER VENENCIANO: Yes.

20 CHAIR ALULI: Nice to have you on board. Thank you.  
21 Okay, Glenn.

22 DIRECTOR MUKAI: Okay. Director's Monthly Report, o  
23 the Gross Sales Report, all licensees except seven licensees  
24 submitted their gross sales report by the deadline, July 31st,  
25 2019. Six of the seven that did not submit submitted on the



1 following day, on August 1st, and the seventh one filed it on  
2 August 2nd.

3 CHAIR ALULI: Okay.

4 DIRECTOR MUKAI: So everyone has filed and it  
5 appears that the gross sales did go up again this year.

6 On HRS Update, the department updated and posted  
7 Chapter 281 Hawaii Revised Statute on its county website. The  
8 update reflects the changes in state law during this past  
9 legislative session.

10 And on RAP Back update, the Hawaii Criminal Justice  
11 Data Center notified the department it has met all  
12 requirements and is approved to participate in the criminal  
13 history background check RAP Back program. A person  
14 registered on the department will not be required to submit  
15 for background check on future license application and the  
16 department will be notified of subsequent activities of the  
17 individual registered with the department. So, in other  
18 words, if -- someone that's already been through the  
19 background check with the department, if they get convicted or  
20 any offenses, the Hawaii Criminal Justice Center will  
21 automatically send us --

22 CHAIR ALULI: Notification. What is -- excuse me,  
23 Glenn. What does RAP stand for, what's that an acronym for?

24 DIRECTOR MUKAI: I have no idea.

25 CHAIR ALULI: You don't know?

1 DIRECTOR MUKAI: Yeah. I know it's just a --  
2 Do you?

3 CHAIR ALULI: I'm just curious.

4 DIRECTOR MUKAI: I'll find out and --

5 CHAIR ALULI: Please. I'm curious, I'd like to know  
6 what it stands for. Okay.

7 DIRECTOR MUKAI: On the reorganization, the  
8 department's received the department reorganization. It's  
9 actually is a partial approval from department of management.  
10 They are -- we are meeting with the managing director for  
11 clarification.

12 And update on the rule amendments, the rule  
13 amendments was signed by the mayor on August 1st and forwarded  
14 to the county clerk on August 2nd, 2019. The department was  
15 orally informed the amended rules will take effect August  
16 12th, 2019 and is awaiting written confirmation from the  
17 county clerk office. Once we receive it, then we'll post it  
18 online, then we'll send it to the publishers.

19 And Pedro --

20 COMMISSIONER VENENCIANO: Venenciano.

21 DIRECTOR MUKAI: -- Venenciano and Jamie Becraft  
22 were appointed by the mayor and confirmed by the council to be  
23 members of the liquor commission, so as of September we'll  
24 have the full nine members.

25 CHAIR ALULI: Good.

1           DIRECTOR MUKAI: In the commission packet we  
2 provided a licensing report document. The document reflects  
3 the type of license issued and as well as the license issued  
4 by district, so that way you can glance at it, see how much  
5 license and which licenses in each district.

6           CHAIR ALULI: So that 446 number, that's the total  
7 licenses --

8           DIRECTOR MUKAI: Yes.

9           CHAIR ALULI: -- that are issued in our county?

10          DIRECTOR MUKAI: Yes.

11          CHAIR ALULI: Okay.

12          COMMISSIONER DE JETLEY: Mr. Chair, I have a  
13 question.

14          Glenn, what -- what one of these are hostess bars?

15          DIRECTOR MUKAI: Is it --

16          MR. LAYNE SILVA: I don't believe it's broken down  
17 by that.

18          DIRECTOR MUKAI: It's not broken down by that. It's  
19 just under dispenser general.

20          CHAIR ALULI: Yeah, yeah.

21          DIRECTOR MUKAI: It's a different category within  
22 dispenser general.

23          COMMISSIONER DE JETLEY: So have any dropped out at  
24 all?

25          DIRECTOR MUKAI: Not yet, but --

1 How much were there?

2 MR. LAYNE SILVA: I think we're still at ten.

3 DIRECTOR MUKAI: Yeah, ten out of 12. We still have  
4 two openings. There's ten out of 12 taken as hostess license.

5 CHAIR ALULI: Yeah. Twelve is the maximum; right?

6 DIRECTOR MUKAI: Yes, yes.

7 And the next item, the Liquor Control Adjudication  
8 Board, there is no August meeting due to the representative of  
9 the licensee requested a continuance which was granted by the  
10 deputy prosecutor. And the July 11th, 2019 hearing summary  
11 was within the commission packet.

12 CHAIR ALULI: Right.

13 DIRECTOR MUKAI: That's all the department has.

14 CHAIR ALULI: Okay. Commissioners, are there any  
15 questions you have of the department?

16 (No response.)

17 CHAIR ALULI: No? If that is the case, then we can  
18 adjourn the meeting.

19 Do I have a motion for adjournment?

20 COMMISSIONER UMENO: So moved.

21 CHAIR ALULI: Second?

22 COMMISSIONER DE JETLEY: Second.

23 CHAIR ALULI: Okay. (Gavel.) Thank you very much.  
24 Meeting adjourned.

25 (The proceedings were adjourned at 9:27 a.m.)

