



Government of Guam
Department of Revenue & Taxation

ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD

Elizabeth (Lisa) T. Fisher, Chairwoman
John E.G. Ilaó, Secretary
Candy C. Okuhama, Member
Carlo Pangelinan, Member

LOURDES A. LEON GUERRERO, Governor
Maga'hága
JOSHUA F. TENORIO, Lt. Governor
Sigundo Maga'láhi

DAFNE MANSAPIT-SHIMIZU, Director
Direktot
FRANK G. LEON GUERRERO, Deputy Director
Sigundo Direktot

December 21, 2021

To: Alcoholic Beverage Control (ABC) Board
From: Administrator, ABC
Subject: ABC Regular Meeting – December 9, 2021 (Final)

- I. Call to Order: Meeting was called to order by Chair Fisher at 4:01 PM.
- II. Roll Call: Present in person were Chair Fisher, and Compliance Branch Staff. Present via Zoom were Board Members, Ilaó, Okuhama, and Pangelinan. Deputy Director Maria Lizama was present via Zoom.
- III. Old Business:
A) Meeting Minutes – November 24, 2021

Ms. Okuhama moved to approve. Motion seconded by Mr. Ilaó and approved without dissent.

B) RR Enterprises, LLC Dbá: Horse and Cow Pub & Grill (*Takeover*) –Tabled from last meeting 11/24/2021.

Chair Fisher did not receive word from the Attorney General's office. Chair Fisher to send follow up and to be tabled until we receive guidance. Compliance Officer Camacho urged to send follow up so board can decide on this matter.

Mr. Ilaó move to table. Motion seconded by Ms. Okuhama and approved without dissent.

C) TITAY'S ENT. Dbá: Titay's Palomo Store (*New*) –Tabled from last meeting 11/24/2021.

Compliance Officer Craig added an updated Alcohol beverage license investigation and record on packet. Application is complete and added the complainant has not come forth with new information or seek to attend meeting. Chair Fisher discusses issue between the two parties and that it is a civil matter. Mr. Ilaó added that application is complete, and Mr. Camacho confirmed that it is outside the board's jurisdiction, but anybody can submit a protest against an application. Mr. Camacho also added that the applicant has legal right through the current lease agreement to operate the store as of April 2021.

Mr. Pangelinan moved to approve. Motion seconded by Mr. Ilaó and approved without dissent.

- IV. New Business:

Alcoholic Beverage License(s) Applications:

1. Son, Kun IL DBA: Kay Store. A Class (5) General Off-Sale, Alcoholic Beverage License application on Lot 3060-2-5-6 175 Paasan Drive, Agana Heights, Guam. (*Takeover*) See attached.



ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD

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Direktol
FRANK G. LEON GUERRERO, Deputy Director
Sigundo Direktol

Mr. Ilaø moved to approve. Motion seconded by Mr. Pangelinan and approved without dissent.

2. Nakamura R.Y.S.E., LLC DBA: Magic Stix. A Class (4) General On-Sale, Alcoholic Beverage License application on Lot: 5108-1 East West Business Center, Upper Tumon, Guam. (Takeover) See attached.

Mr. Ilaø moved to conditionally approve. Motion seconded by Ms. Okuhama and approved without dissent.

V. **A) Manager/Assistant Manager Application(s): Place of Employment:**

NEW:

- | | |
|--------------------------------|------------------------|
| 1. ATOIGUE, Peter R.T. | Jenny's Karaoke Lounge |
| 2. ELATICO, Jr. II, Peter J.R. | Jenny's Karaoke Lounge |
| 3. BRUAN, Christian V.P. | Tu re' Caf  |
| 4. ROSARIO, Rosanna | Tu re' Caf  |

RENEWAL:

None

Mr. Ilaø moved to blanket approve. Motion seconded by Ms. Okuhama and approved without dissent.

VI. **Other Discussions:**

Compliance Officer Camacho received a phone call from Senator Perez informing him that Chair Fisher and Mr. Ilaø may not be able to participate in the next board meeting if Senator Perez is not able to postpone adjournment of the session. Mr. Camacho also added that the Board should meet quorum if Ed Toves is appointed by next meeting date, December 22nd. Mr. Camacho will update Board prior to the next meeting. Chair Fisher and Mr. Ilaø are able to attend but cannot vote on agenda items.

Chair Fisher asked if there was any update on the Board's response to Senator Perez's letter. Mr. Camacho informed the Board that he met with Senator Perez and explained the process of the applicant in detail.

Mr. Camacho provided an update to the Board on the ABC Fees and Penalties Fund. As of November 2021, total funds are up to approximately \$100,400.00.

VII. **Open Forum:**

VIII. **Meeting Adjourned:** Mr. Ilaø moved to adjourn the meeting at 4:21PM. Motion seconded by Ms. Okuhama and approved without dissent.



Government of Guam
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ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD

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Direktor
FRANK G. LEON GUERRERO, Deputy Director
Sigundo Direktor

John E. Ilao
Board Secretary



November 29, 2021

To: Alcoholic Beverage Control (ABC) Board
From: Administrator, ABC
Subject: ABC Regular Meeting – December 9, 2021 (Final)

I. Call to Order:

II. Roll Call:

III. Old Business:

A) Meeting Minutes – November 24, 2021 (Pending Approval)

B) RR Enterprises, LLC Dba: Horse and Cow Pub & Grill (*Takeover*) –Tabled from last meeting 11/24/2021.

Board Action	Approved	Denied	Conditional Approval	Table
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C) TITAY'S ENT. Dba: Titay's Palomo Store (*New*) –Tabled from last meeting 11/24/2021.

Board Action	Approved	Denied	Conditional Approval	Table
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IV. New Business:

A) Alcoholic Beverage License(s) Applications:

1. **Son, Kun IL DBA: Kay Store.**

A Class (5) General Off-Sale, Alcoholic Beverage License application on Lot 3060-2-5-6 175 Paasan Drive, Agana Heights, Guam. (*Takeover*) See attached.

Board Action	Approved	Denied	Conditional Approval	Table
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2. **Nakamura R.Y.S.E., LLC DBA: Magic Stix.**

A Class (4) General On-Sale, Alcoholic Beverage License application on Lot: 5108-1 East West Business Center, Upper Tumon, Guam. (*Takeover*) See attached.

Board Action	Approved	Denied	Conditional Approval	Table
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V. A) Manager/Assistant Manager Application(s): Place of Employment:

NEW:

- | | |
|--------------------------------|------------------------|
| 1. ATOIGUE, Peter R.T. | Jenny's Karaoke Lounge |
| 2. ELATICO, Jr. II, Peter J.R. | Jenny's Karaoke Lounge |
| 3. BRUAN, Christian V.P. | Tu re' Café |
| 4. ROSARIO, Rosanna | Tu re' Café |

RENEWAL:

None

Board Action	Blanket Approved	Denied	Conditional Approval	Table
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VI. Other Discussions:

None

VII. Open Forum:

VIII. Meeting Adjourned:


Dafne Mansapit-Shimizu
Director

Prepared by: Millie I. Lujan




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DEPARTMENT OF

REVENUE AND TAXATION

GOVERNMENT OF GUAM

Gubetnamenton Guahan

LOURDES A. LEON GUERRERO, Governor Mags'haga
JOSHUA F. TENORIO, Lt. Governor Tifente Gubetnadot

DAFNE MANSAPIT-SHIMIZU, Director
Direktot
MARIE P. LIZAMA, Deputy Director
Sigundo Direktat

APPLICANT: Son, Kun IL

DBA: Kay Store

CLASS 5 TYPE General Off Sale

BUS. LIC: 2220014

DATE ISSUED 11/18/2021

PREMISE LOCATION: 3060-2-5-6 175 Paasan Dr.

Agana Heights

LOT

BLOCK

MUNICIPALITY

LESSOR: Marie H. Salas Caasi

SUB LESSOR:

TERM(S): 10yrs

CONSIDERATION: \$1,000.00/month

OPTION (Renewal):

YES

NO

APPLICATION SUBMITTED BY:

Son, Kun IL

DATE SUBMITTED TO BOARD:

RECEIVED BY: JPSA

DATE RECEIVED: 11/19/2021

SOLE PROPRIETOR / PARTNERSHIP / CORPORATION / LLC/LLP INFORMATION

CLEARANCES:

- Business License/Sole Proprietor
- Sanitary Permit
- Certificate of Publication 11/22
- Department of Land Management 11/22
- Department of Public Health 11/22
- Mayor's Office 11/22
- Lease Agreement 11/22
- Personal History
- Police Clearance & Court Clearance

BOARDS ACTION:

- Approval
- Conditional Approval
- Disapproved
- Tabled
- Issued ABC Regulation Handbook
- Briefed on ABC Regulation

Corporation/LLC/LLP

- Articles of Corporation (LLC)
- By-Laws

Partnership

- Partnership Agreement

Pursuant to 6GCA Division 2 Principles of Evidence § 4308. Unsworn declarations Under Penalty of Perjury: I declare under penalty of perjury that the forgoing is true and correct in "that I am the Licensee and/or duly authorize representative". That I was briefed on the Alcoholic Beverage Control and Rules and Regulations and that I will uphold all in regards to the Liquor License Establishment.

Signature (License) (Representative) _____

Date _____

Title: _____

Witness: _____



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DEPARTMENT OF

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DAFNE MANSAPIT-SHIMIZU, Director
Direktot
MARIE P. LIZAMA, Deputy Director
Sigunda Direktot

MEMORANDUM

TO: Director (Alcoholic Beverage Control Administrator)

FROM: Supervisor, Compliance Branch

SUBJECT: Alcoholic Beverage License Application Investigation

Applicant: Son, Kun IL

DBA: Kay Store

Has applied for Class/Type 5 General Off Sale Alcoholic Beverage License

In accordance with 11GCA § 3312. Application: Investigation. The Compliance Branch conducted an investigation of applicant and inspection of said premises to determine whether applicant and premises are qualified for proposed beverage application.

Inspection Report by Compliance Inspectors suggests that the establishment/premise is prepared as required by regulations. No protests have been filed. Documents have been reviewed and filed. Other documents as required from Government agencies have been satisfactorily met in accordance with attached checklist.

The Compliance Branch Staff recommends: **CLEARANCES COMPLETED FOR APPROVAL**

Establishment/premises is located at: Former H Store

Respectfully,


Craig A. Camacho

Prepared By: Joseph P. San Agustín



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Direktot
MARIE P. LIZAMA, Deputy Director
Sigundo Direktot

APPLICANT: NAKAMURA R.Y.S.E., LLC DBA: MAGIC STIX (TAKEOVER)

CLASS Four (4) TYPE General On Sale BUS. LIC: 2219604 DATE ISSUED 11/08/2021

PREMISE LOCATION: 5108-1 East West Business Center, Upper Tumon Tamuning/Tumon/Harmon
LOT BLOCK MUNICIPALITY

LESSOR: East-West Business Center, Inc. SUB LESSOR: N/A

TERM(S): 1 yr. 3 mos CONSIDERATION: \$4,950.00 per month OPTION (Renewal): YES NO

APPLICATION SUBMITTED BY: Dave Santos (DL Administrative Services) DATE SUBMITTED TO BOARD: December 9, 2021

RECEIVED BY: Millie Lujan DATE RECEIVED: November 23, 2021

SOLE PROPRIETOR / PARTNERSHIP / CORPORATION / LLC/LLP INFORMATION

GULLA, Yukari Yogi - Member/Director
NAKAMURA, Scott K. - Member/Director

CLEARANCES:

- Business License
- Sanitary Permit
- Certificate of Publication *11/29*
- Department of Land Management *11/24*
- Department of Public Health *11/24*
- Mayor's Office *11/24*
- Lease Agreement
- Personal History
- Police Clearance & Court Clearance

BOARDS ACTION:

- Approval
- Conditional Approval
- Disapproved
- Tabled
- Issued ABC Regulation Handbook
- Briefed on ABC Regulation

Corporation/LLC/LLP

- Articles of Corporation (LLC)
- By-Laws

Partnership

- Partnership Agreement

Pursuant to 6GCA Division 2 Principles of Evidence § 4308. Unsworn declarations Under Penalty of Perjury: I declare under penalty of perjury that the forgoing is true and correct in "that I am the Licensee and/or duly authorize representative". That I was briefed on the Alcoholic Beverage Control and Rules and Regulations and that I will uphold all in regards to the Liquor License Establishment.

Signature (License) (Representative) _____ Date _____

Title: _____ Witness: _____



Dipattamenton Kontribusion yan Adu'ána

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DAFNE MANSAPIT-SHIMIZU, Director
Direktor
MARIE P. LIZAMA, Deputy Director
Sigundo Direktor

MEMORANDUM

TO: Director (Alcoholic Beverage Control Administrator)

FROM: Supervisor, Compliance Branch

SUBJECT: Alcoholic Beverage License Application Investigation

Applicant: NAKAMURA R.Y.S.E., LLC

DBA: MAGIC STIX (TAKEOVER)

Has applied for Class/Type Four (4) General On Sale Alcoholic Beverage License

In accordance with 11GCA § 3312. Application: Investigation. The Compliance Branch conducted an investigation of applicant and inspection of said premises to determine whether applicant and premises are qualified for proposed beverage application.

Inspection Report by Compliance Inspectors suggests that the establishment/premise is prepared as required by regulations. ~~No protests have been filed. Documents have been reviewed and filed. Other documents as~~ required from Government agencies have been satisfactorily met in accordance with attached checklist.

The Compliance Branch Staff recommends: **Conditional Approval pending original POA for David LG Aquiningoc Jr.**

Establishment/premises is located at: 2nd Flr (above Truong's Restaurant) East-West Business Center, Upper Tumon .

Respectfully,


Craig A. Camacho
Prepared By: Millie I. Lojan
