clerks@guamlegislature.org

From: Committee on Rules 36GL <cor@guamlegislature.org>
Sent: Tuesday, April 26, 2022 2:46 PM
To: Clerks; Rennae Meno
Cc: Speaker Therese M. Terlaje
Subject: Messages and Communications for Doc. No. 36GL-22-1961*
Attachments: 36GL-22-1961.pdf

Håfa Adai Clerks,

Please see attached M&C Doc. No. 36GL-22-1961 for processing:

36GL-22-1961	ABC Regular Meeting - March 16, 2022*	Department of Revenue and Taxation

Si Yu'os Ma'åse',

COMMITTEE ON RULES
Vice Speaker Tina Rose Muña Barnes
36th Guam Legislature
I Mina'trentai Sais Na Liheslaturan Guåhan
163 Chalan Santo Papa Hågatña Guam 96910
Email: cor@guamlegislature.org

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---------- Forwarded message ---------
From: **Speaker Therese M. Terlaje** <speaker@guamlegislature.org>
Date: Tue, Apr 26, 2022 at 2:22 PM
Subject: Messages and Communications for 36GL-22-1961
To: Legislative Secretary Amanda Shelton <officeofsenatorshelton@guamlegislature.org>, Committee on Rules 36GL <cor@guamlegislature.org>

Håfa Adai,

Please see attached M&C Doc. No. 36GL-22-1961*

36GL-22-1961	ABC Regular Meeting - March 16, 2022*	Department of Revenue and Taxation

Si Yu'os Ma'åse',

Marie Cruz
Community Relations Liaison

Office of Speaker Therese M. Terlaje
Committee on Health, Land, Justice and Culture
I Mina'trentai Sais na Liheslaturan Guåhan
36th Guam Legislature
Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910
T: (671) 472-3586 F: (671) 989-3590 Email: senatorterlajeguam@gmail.com
website: www.senatorterlaje.com

---------- Forwarded message ---------
From: **Joseph P. San Agustin** <Joseph.SanAgustin@revtax.guam.gov>
Date: Tue, Apr 26, 2022 at 10:56 AM
Subject: ABC BOARD MEETING MARCH 16, 2022
To: Speaker Therese M. Terlaje <speaker@guamlegislature.org>
Cc: Joseph P. San Agustin <Joseph.SanAgustin@revtax.guam.gov>, Craig Camacho <Craig.Camacho@revtax.guam.gov>, Vicente S. Bautista <Vicente.Bautista@revtax.guam.gov>, Millie Lujan <Millie.Lujan@revtax.guam.gov>, Ashley Benavente <Ashley.Benavente@revtax.guam.gov>, Natalie S. Alig <Natalie.Alig@revtax.guam.gov>

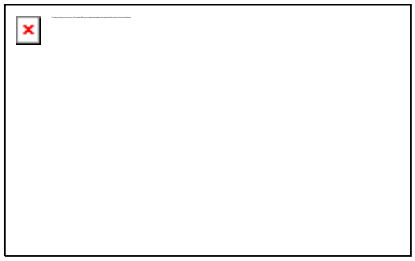
Hafa Adai Madame Speaker Terlaje,

Attached is our ABC Board Meeting -Agenda, attachments, and Approved Minutes for 03/16/2022.

Respectfully,

Joseph P. San Agustin
Compliance Inspector II
Compliance Branch – Regulatory Division
Guam Department of Revenue and Taxation (DRT)

Physical Address: 1240 Army Drive, Route 16, Barrigada, Guam 96913
Mailing Address: PO Box 23607, Barrigada, Guam 96921
Office: **(671) 635-1806** | Facsimile: **(671) 633-2643**
Website: **https://www.guamtax.com**



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Speaker Therese M. Terlaje <speaker@guamlegislature.org>

ABC BOARD MEETING MARCH 16, 2022

Joseph P. San Agustin <Joseph.SanAgustin@revtax.guam.gov> Tue, Apr 26, 2022 at 10:56 AM
To: "Speaker Therese M. Terlaje" <speaker@guamlegislature.org>
Cc: "Joseph P. San Agustin" <Joseph.SanAgustin@revtax.guam.gov>, Craig Camacho <Craig.Camacho@revtax.guam.gov>, "Vicente S. Bautista" <Vicente.Bautista@revtax.guam.gov>, Millie Lujan <Millie.Lujan@revtax.guam.gov>, Ashley Benavente <Ashley.Benavente@revtax.guam.gov>, "Natalie S. Alig" <Natalie.Alig@revtax.guam.gov>

Hafa Adai Madame Speaker Terlaje,

Attached is our ABC Board Meeting -Agenda, attachments, and Approved Minutes for 03/16/2022.

Respectfully,

Doc Type: 36GL-22-1961
OFFICE OF THE SPEAKER
THERESE M. TERLAJE

04 26 2022
Time: 10:56a.m.
Received:

Joseph P. San Agustin
Compliance Inspector II
Compliance Branch – Regulatory Division
Guam Department of Revenue and Taxation (DRT)

Physical Address: 1240 Army Drive, Route 16, Barrigada, Guam 96913
Mailing Address: PO Box 23607, Barrigada, Guam 96921
Office: **(671) 635-1806** | Facsimile: **(671) 633-2643**
Website: **https://www.guamtax.com**

COMMITTEE ON RULES
RECEIVED:
April 26, 2022
2:22 P.M.

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ABC Board Meeting -Agenda with attachments and Approved Minutes for 03.16.2022.pdf
245K

Guam Department of Revenue and Taxation
Alcoholic Beverage Control (ABC) Board
Time: 4:00pm
Meeting Date: March 16, 2022
Join Zoom Meeting [redacted]

Board Members	Position Title	Signature
Elizabeth T. Fisher	Chairwoman	Zoom
Candy Okuhama	Vice Chairwoman	
John E. Ilao	Board Secretary	
Juan-Carlo Pangelinan	Member	Zoom
Edward S. Toves	Member	Zoom

This is to certify that the above information is true and correct:

Board Secretary

3/16/2022

Note that the Legislature has taken steps to ensure that any protected personal identifying information has been redacted or excluded in whole or in part in order to protect the privacy of any individual(s) whose information has been included as part of this transmittal.
Doc. No. 36GL-22-1961.*

Government of Guam
Department of Revenue & Taxation
ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD

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

LOURDES A. LEON GUERRERO, Governor
Maga'hâga
JOSHUA F. TENORIO, Lt. Governor
Sigundo Maga'lâhi

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

March 11, 2022

To: Alcoholic Beverage Control (ABC) Board

From: Administrator, ABC

Subject: ABC Regular Meeting – March 16, 2022

I. Call to Order: Meeting was called to order by Chair Fisher at 3:58 PM.

II. Roll Call: Present in person was Board Member John Ilao and Compliance Branch staff. Present via Zoom were Chair Fisher and Board Members Toves and Pangelinan. Ms. Okuhama was in apology. Deputy Director Maria Lizama was present via Zoom.

III. Old Business:

A) Meeting Minutes – January 19, 2022, February 16, 2022

Mr. Ilao moved to table. Motion seconded by Mr. Toves and approved without dissent.

IV. New Business:

A) Alcoholic Beverage License(s) Applications:

1. M and B Incorporated DBA: One Pacific Distributors. A Class (3) Wholesale, Alcoholic Beverage License application on Lot: 2144-1D-R1 (M1) NEW 2, 237 Mamis St., Tamuning. *(New)* See attached.

Mr. Toves moved to approve. Motion seconded by Mr. Ilao and approved without dissent.

2. Indian Summer Corporation DBA: Indian Summer Wholesale. A Class (3) Wholesale, Alcoholic Beverage License application on Lot: 5120-2-5-1 545 N. Marine Corps Dr. Tamuning. *(New)* See attached.

Mr. Toves moved to approve. Motion seconded by Mr. Ilao and approved without dissent.

3. Mommy's Corporation DBA: I U Corner Bar. A Class (4) General On Sale, Alcoholic Beverage License application on M19 Lot 5099-7-1, 330I Adrian Sanchez St. Unit 104, Young's Comm. Bldg., Harmon *(Takeover)* See attached.

Mr. Toves moved to approve. Motion seconded by Mr. Ilao and approved without dissent.

4. F.W. LLC. DBA: Kreme Blended Café. A Class (4) General On Sale, Alcoholic Beverage License application on Lot 3 Blk 3 Tract 127 Chi Commercial Bldg. 511 Macheche Ave. Dededo. *(New)* See attached.

Mr. Toves moved to conditionally approve. Motion seconded by Mr. Ilao and approved without dissent.

5. Bolus & Orejola LLC. DBA: Melting Point. A Class (4) General On Sale, Alcoholic Beverage License application on Lot 5137-3-1-1 5137-3-1-2 5137-3-1-R2 Unit 104 746 San Vitores Rd., Tumon. *(Takeover)* See attached.

Mr. Toves moved to approve. Motion seconded by Mr. Ilao and approved without dissent.

B. Permanent Additional Consumption Area:

1. Shamrocks, Inc. DBA: Shamrocks. A Class (4) General On Sale, Alcoholic Beverage License #14007 requesting your approval for a permanent additional consumption area. See attached.

Mr. Toves moved to table. Motion seconded by Mr. Ilao and approved without dissent.

C. Temporary Alcoholic Beverage License Application:

1. Pacific War Museum DBA: Same. Requests your approval for a Class (10) General On Sale, Temporary Alcoholic Beverage License for "*Mes Chamoru*" event to be held at The Guam Museum, Skinner Plaza, Hagatna. Date: March 31, 2022, 5:00 p.m. – 11:00 p.m.

Application was rescinded via email at 2:30 PM, 3/16/2022.

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

NEW:

1.	Villanueva, Angelica M.	House of Chin Fe
2.	Shinohara, Elizabeth J.	House of Chin Fe
3.	Dugan, Kimberly G.	Dusit Thani
4.	Salalila, Monica A.	Dusit Thani
5.	Fortes, Ervina I.	Jenny's Karaoke
6.	Tolerson, Miho	Lina La Club Lounge
7.	Aguigui, Jenny Lyn G.	Tsubaki Tower

RENEWAL:

1.	Estrellado, Rae Gene A.	Bernie's Bar
2.	Carrillo, Andres	Kaeo Tavern

3. Dinsman, Loren E. — Min's Lounge
4. Castro, Marcy A. — Primo Pizzakaya
5. Clemente, Dennis G. — Tsubaki Tower

Mr. Ilao moved to blanket approve. Motion seconded by Mr. Toves and approved without dissent.

VI. Other Discussions:

1. Peter Walls/Shamrocks Violation. **ABC Compliance Branch Inspector, Vicente Bautista provided documents of the violation to Mr. Ilao. First violation is 3 GAR Subsection 2105b. Mr. Bautista confirmed that Mr. Walls admitted during an interview that he was aware that that was no manager on duty and that the additional consumption was added due to the pandemic. Mr. Bautista stated that the Licensee has been using the area since 2014 and determined that the area is very unsafe following inspection.**

Chair Fisher noted that the complaint from a nearby condominium warranted the investigation, which was conducted by ABC Compliance Branch in conjunction with other agencies; that a letter was received from Shamrocks requesting to waive the penalty due to financial difficulties, and; that the mandate (referred to in Mr. Walls' letter) was put in place from March to December 2021.

Chair Fisher also stated that the lease agreement does allow Shamrocks to utilize said area if they *follow all Government of Guam Laws and clearances.* Chair Fisher noted Mr. Walls' comment stating that it is not fair that ABC fines Shamrocks since all government agencies are doing the same thing, and that it is not fair that ABC is short staffed and not able to conduct inspections of the other establishments. Chair Fisher stated that the law must be followed and added that other establishments have come forward to do lawfully in view of the pandemic.

ABC Compliance Supervisor Craig Camacho stated that in the supplementary report, Mr. Bautista did inform Mr. Walls that other establishments that applied for additional consumption areas did it the right way and approached the Compliance Branch and the Board. Mr. Camacho stated that Mr. Walls showed no remorse in relation to the violation.

Mr. Toves moved to impose the penalty. Motion seconded by Mr. Ilao and approved without dissent.

Mr. Camacho stated that the fine is $1500.00 and that the compliance branch recommends that the application be tabled until other government agency clearances have been approved.

Mr. Toves moved to table Shamrock's application for permanent additional consumption area (refer IV. B. 1.). Motion seconded by Mr. Ilao and approved without dissent.

2. Penalty Funds updates. **As of February 1, 2022, the balance of the ABC Fines, Fees, and Penalties Fund is $97,670.00.**

VII. Open Forum:

VIII. Meeting Adjourned: Mr. Toves moved to adjourn the meeting at 4:22 PM. Motion seconded by Mr. Ilao and approved without dissent.

Government of Guam
Department of Revenue & Taxation
ALCOHOLIC BEVERAGE CONTROL (ABC) BOARD

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

LOURDES A. LEON GUERRERO, Governor
Maga'hâga
JOSHUA F. TENORIO, Lt. Governor
Sigundo Maga'lâhi

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

John E. Ilao
Board Secretary

4/20/2022

Post Office Box 23607, Barrigada, Guam 96921 • Tel. / Telifon: (671)635-1806 • Fax / Faks: (671) 633-2643

Dipåttamenton Kontribusion yan Adu'ånå
DEPARTMENT OF
REVENUE AND TAXATION
GOVERNMENT OF GUAM Gubetnamenton Guåhan

LOURDES A LEON GUERRERO, Governor Maga'haga
JOSHUA F TENORIO, Lt. Governor Tiñente Gubetnadot

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

March 11, 2022

To: Alcoholic Beverage Control (ABC) Board

From: Administrator, ABC

Subject: ABC Regular Meeting – March 16, 2022 (Final)

4/20/22

I. Call to Order:

II. Roll Call:

III. Old Business:

A) Meeting Minutes – January 19, 2022, February 16, 2022 (Pending Approval)

IV. New Business:

Alcoholic Beverage License(s) Applications:

1. **M and B Incorporated DBA: One Pacific Distributors**
   A Class (3) Wholesale, Alcoholic Beverage License application on Lot: 2144-1D-R1 (M1) NEW 2, 237 Mamis St., Tamuning
   (New) See attached.

Board Action		Approved		Denied		Conditional Approval		Table

2. **Indian Summer Corporation DBA: Indian Summer Wholesale**
   A Class (3) Wholesale, Alcoholic Beverage License application on Lot: 5120-2-5-1 545 N. Marine Corps Dr. Tamuning
   (New) See attached.

Board Action		Approved		Denied		Conditional Approval		Table

3. **Mommy's Corporation DBA: I U Corner Bar**
A Class (4) General On Sale, Alcoholic Beverage License application on M19 Lot 5099-7-1, 3301 Adrian Sanchez St. Unit 104, Young's Comm. Bldg., Harmon *(Takeover)* See attached.

Board Action		Approved		Denied		Conditional Approval		Table

4. **F.W. LLC. DBA: Kreme Blended Café**
A Class (4) General On Sale, Alcoholic Beverage License application on Lot 3 Blk 3 Trct 127 Chi Commercial Bldg. 511 Macheche Ave. Dededo. *(New)* See attached.

Board Action		Approved		Denied		Conditional Approval		Table

5. **Bolus & Orejola LLC. DBA: Melting Point**
A Class (4) General On Sale, Alcoholic Beverage License application on Lot 5137-3-1-1 5137-3-1-2 5137-3-1-R2 Unit 104 746 San Vitores Rd., Tumon *(Takeover)* See attached.

Board Action		Approved		Denied		Conditional Approval		Table

V. Permanent Additional Consumption Area:

1. **Shamrocks, Inc. DBA: Shamrocks**
A Class (4) General On Sale, Alcoholic Beverage License # 14007 requesting your approval for a permanent additional consumption area. See attached.

Board Action		Approved		Denied		Conditional Approval		Table

VI. Temporary Alcoholic Beverage License Application:

1. **Pacific War Museum DBA: Same.** Requests your approval for a Class (10) General On Sale, Temporary Alcoholic Beverage License for "*Mes Chamoru*" event to be held at The Guam Museum, Skinner Plaza, Hagatna.

Date: March 31, 2022 5:00 p.m. – 11:00 p.m.

Board Action		Approved		Denied		Conditional Approval		Table

VII. Manager/Assistant Manager Application(s): Place of Employment:

NEW:

1.	Villanueva, Angelica M.	House of Chin Fe
2.	Shinohara, Elizabeth J.	House of Chin Fe
3.	Dugan, Kimberly G.	Dusit Thani
4.	Salalila, Monica A.	Dusit Thani
5.	Fortes, Ervina I.	Jenny's Karaoke
6.	Tolerson, Miho	Lina La Club Lounge
7.	Aguigui, Jenny Lyn G.	Tsubaki Tower

RENEWAL:

1.	Estrellado, Rae Gene A.	Bernie's Bar
2.	Carrillo, Andres	Kaeo Tavern
3.	Dinsman, Loren E.	Min's Lounge
4.	Castro, Marcy A.	Primo Pizzakaya
5.	Clemente, Dennis G.	Tsubaki Tower

Board Action		Blanket Approved		Denied		Conditional Approval		Table

VIII. Other Discussions:

1. Peter Walls. Shamrocks Violation
2 Penalty Funds updates

IX.. Open Forum:

X. Meeting Adjourned:

for **Marie P. Lizama**
Deputy Director
Prepared by: Joseph P. San Agustin