

**SPECIAL COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, FEBRUARY 17, 2016
1:30 P.M. OR SOON THEREAFTER**

COUNCIL CHAMBERS
HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201
LIHU'E, KAUA'I, HAWAII 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. COMMUNICATION:

1. [C 2016-39](#) Communication (02/05/2016) from the County Attorney, requesting authorization to expend up to \$50,000.00 in funds from the Claims and Judgments account in relation to the Mediation of: Michael S. Kocher, Sr., individually and on behalf of the Estate of Michael S. Kocher, Jr.; Patricia Kocher and the County of Kaua'i; Irvin Magayanes, Mediation No. 15-0482-M, and related matters.

E. EXECUTIVE SESSION: *Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

1. ES-835 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing on the Mediation of: Michael S. Kocher, Sr., individually and on behalf of the Estate of Michael S. Kocher, Jr.; Patricia Kocher and County of Kaua'i; Irvin Magayanes, Mediation No. 15-0482-M, and related matters.

2. ES-836 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(2), (4), and (8), the purpose of this Executive Session is to consider matters that require confidentiality under state law, to wit, the hiring of a County Auditor. The further purpose of this Executive Session is to meet with the Council's legal counsel on questions and issues relating to the Council's powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims, as such powers, duties, privileges and immunities and/or liabilities, claims and/or potential claims relate to the foregoing item, and to take such action as the Council deems appropriate. The briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

3. ES-837 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(2) and (4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, on behalf of the Council, requests an Executive Session with the Council pertaining to the County Attorney and, if necessary, to consult with the County's legal counsel. This session pertains to the evaluation of the County Attorney where consideration of matters affecting privacy will be involved and, if necessary, to consult with legal counsel regarding the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

4. ES-838 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(2) and (4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, on behalf of the Council, requests an Executive Session with the Council pertaining to the County Clerk and, if necessary, to consult with the County's legal counsel. This session pertains to the evaluation of the County Clerk where consideration of matters affecting privacy will be involved and, if necessary, to consult with legal counsel regarding the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

F. ADJOURNMENT.

G. NOTES: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHUʻE, KAUAʻI, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

*TO VIEW MEETINGS OR MEETING ARCHIVES,
PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.