

**MINUTES
CITY COUNCIL MEETING
MONDAY, AUGUST 6, 2007**

CALL TO ORDER Mayor Lieberman called the meeting to order at 6:30 p.m. in the City Hall Council Chambers, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE: A moment of silence was held to remember: 1) the victims of the recent interstate freeway bridge collapse in Minneapolis, Minnesota; and 2) former *Coast News* reporter Bob Behme.

FLAG SALUTE The flag salute was led by Police Chief Copsey.

ROLL CALL

City Council: Council Members Ashton, Nicolls, Bright, Mayor Pro Tem Shoals, and Mayor Lieberman were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Community Development Director Hansen, Police Chief Copsey, Planner III Hetherington, and Public Works Superintendent Ford were also present. Also present was City Engineer Garing.

CLOSED SESSION ANNOUNCEMENTS: Mayor Lieberman read the following announcement:

On Monday, July 16, 2007, after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)
2. Conference with Labor Negotiators
Agency Negotiator: City Manager, James K. Katen, and Administrative Services Director
Unrepresented Employee Groups: Management & Confidential Employees
3. Conference with Labor Negotiators
Agency Negotiator: City Manager and James K. Katen
Unrepresented Employee Groups: Executive Management
4. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case

the City Council reconvened into open session, and the Mayor gave the following announcements:

- In reference to Closed Session Item Nos. 1 and 4: No reportable actions were taken.
- In reference to Closed Session Item Nos. 2 and 3: An agreement in principle was approved (4-0-1, Council Member Ashton absent).

AGENDA REVIEW

Action: Mayor Lieberman requested that the Council consider Regular Business Item No. 8 before the commencement of Public Hearings. Upon unanimous consensus, the Council approved amending the order of business as requested.

CEREMONIAL CALENDAR

None at this time.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public for comment on items of interest which were within the jurisdiction of the City Council but were not listed on the agenda.

- A. Anita Shower, Grover Beach, requested to speak on the Mar Brissa matter, Agenda Item No. 9, and then agreed to reserve her comments until that item was discussed.
- B. Don Fielding, Grover Beach, expressed concern that minutes of recent City Council and Planning Commission meetings were not yet available on the City website.
- C. Ben Eckhold, student, California Polytechnic State University, San Luis Obispo, encouraged the Council to attend the Regional Energy Planning Conference to be held August 23-24, 2007, and hosted by the Strategic Energy Alliance.
- D. John Wysong, Grover Beach, expressed concern that commercial trucks continued to use Brighton Avenue and requested temporary signage to direct commercial trucks to the appropriate truck routes.

Order of the Day: At this time, Mayor Lieberman called for discussion of Item No. 8.

8. Appointments to the Planning Commission.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. City Manager Perrault gave an overview of the Advisory Body Screening Committee's recommendations regarding seven applicants who were recently interviewed to fill three vacancies on the Planning Commission. He then responded to questions from the Council.

Brief discussion was held regarding the Committee's recommendations, the three candidates recommended for appointment, and establishing a list for one year that identified a fourth candidate as the next best qualified applicant to be considered for appointment in the event of another unscheduled vacancy on the Commission.

Action: It was m/s by Council Member Nicolls/Mayor Pro Tem Shoals to adopt Resolution No. 07-76 appointing Christopher Long to a four-year term expiring on March 31, 2011; Karl Blum to the unexpired term scheduled to expire on May 31, 2010; and Laurel Coleman to the unexpired term scheduled to expire on May 31, 2008. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 07-76: A Resolution of the City Council of the City of Grover Beach, California, Appointing Christopher Long, Karl Blum, and Laurel Coleman to Serve on the Planning Commission.

Action: It was m/s by Council Members Nicolls/Ashton to direct staff to maintain the name of Mike Nielsen on a list that identified him as the next candidate to be considered for appointment in the event of a vacancy on the Planning Commission of an unexpired term. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

City Manager Perrault then introduced Planning Commissioners Long, Blum, and Coleman to the City Council and members of the audience.

Order of the Day: At this time, the Order of the Day resumed as posted.

PUBLIC HEARINGS

1. Approval of Site and Architectural Plans, Use Permit, Tentative Tract Map, and Development Concession for a Proposed Two- and Three-Story Mixed-Use Development Project to be Located at 158 North 10th Street.

Development Permit: Application No. 06-046.

Applicant: 10th Street Partnership, Mark London.

Project Location: 158 North 10th Street (APN 060-234-026).

Mayor Lieberman read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Hansen gave an overview of the proposed three-story, mixed-use commercial/residential development project. He stated that the project included 3,090 sq. ft. of retail use on the ground floor level and five residential units, including one moderate-income unit, on the second and third floor levels. Although the applicant was eligible for two development concessions, only one had been requested to allow the residential portion of the development to exceed the 50 percent standard of total floor area, increasing the residential ratio to 57.7 percent. The Planning Commission had reviewed the application on June 12, 2007 and recommended approval to the City Council. He and Planner III Hetherington then responded to questions from the Council.

Discussion was held regarding the location of "natural grade", building heights, and parking spaces to be shared by commercial and residential tenants. In addition, drainage, abandonment of street right-of-way, and the proposed parking configuration for back-in diagonal parking along Ramona Avenue which was similar to the parking configuration proposed in the Ramona Specific Plan were also discussed. It was noted that the Ramona Specific Plan called for a "demonstration project" with back-in diagonal parking, but that there was no data to confirm whether that parking configuration was feasible.

Mayor Lieberman invited comments from those in the audience who wished to be heard on this matter.

Joel Snyder, project architect, Caron Design, reviewed the project design, proposed parking configuration along Ramona Avenue, and the on-site parking spaces to be shared by commercial and residential tenants. He cited air quality requirements and the close proximity to a public transportation hub as determining factors for the parking design. Mr. Snyder responded to Council questions regarding proposed commercial uses, storage units for residential tenants, requirements to underground utilities, drainage, and parking.

Craig Smith, Grover Beach, spoke in support of the project, praised its design, and suggested that the Council also consider offering development incentives for projects that included environmentally sustainable design features or live/work units.

Liz Doukas, Grover Beach, expressed concern whether the project had sufficient parking and objected to the absence of enclosed garages.

Mark London, co-applicant, stated that for over a year his business had been operating in a live/work unit on North 8th Street and had not encountered conflicts regarding the shared parking arrangement between the commercial and residential tenants. He cited a similarly designed live/work unit located on North 7th Street as another example of a successful mixed-use development with shared parking.

There were no further public comments received, and the Mayor closed the Public Hearing.

Discussion was held regarding potential ramifications on the proposed back-in diagonal parking design if the same parking configuration was not implemented at the nearby Ramona Transit Hub. Further comments included designating at least one parking space for each unit with concessions allowed for the commercial units. It was noted that a "park and ride" lot could be located nearby in the future. Additional discussion was held on allowing the homeowners association to regulate and enforce on-site parking as there was no date as to when the Ramona Specific Plan would be finalized.

City Manager Perrault suggested that, if the parking design along Ramona Avenue for the Ramona Transit Hub was changed prior to recordation of the applicants' Tentative Tract Map, the Council could require the applicants to provide the City with a public improvement plan design for review of proposed parking improvements and for staff to verify consistency with the Ramona Specific Plan.

Further discussion was held regarding the project's proposed parking, whether it would conflict with any subsequent parking design changes made to the Ramona Specific Plan, and procedural matters regarding the project's Tentative Tract Map. It was noted that the project's Final Map would be brought to the Council for review and approval.

Tom Murray, co-applicant, stated that he and the other project applicant would be willing to modify the project's back-in diagonal parking design if the determination regarding consistency with any parking design changes made to the Ramona Specific Plan could be made at the staff level within the next year.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Bright to adopt Resolution No. 07-77 granting the one development concession/incentive for development Permit Application No. 06-046. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 07-77: A Resolution of the City Council of the City of Grover Beach, California, Granting the Requested Affordable Housing Concession (Incentive) Relating to Application No. 06-046, Pursuant to California Government Code Section 65915, for Property Located at 158 North 10th Street.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Bright to amend Resolution No. 07-78 to require one designated on-site parking space per residential unit, and adopt the Resolution approving Site and Architectural Plans, as amended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 07-78: A Resolution of the City Council of the City of Grover Beach, California, Approving Site and Architectural Plans for Development Permit Application No. 06-046, filed by the 10th Street Partnership for Property Located at 158 North 10th Street.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Bright to adopt Resolution No. 07-79 granting the Use Permit as recommended by the Planning Commission. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 07-79: A Resolution of the City Council of the City of Grover Beach, California, Granting a Use Permit for Development Permit Application No. 06-046, filed by the 10th Street Partnership for Property Located at 158 North 10th Street.

Action: It was m/s by Council Member Nicolls/Mayor Pro Tem Shoals to amend the Resolution, adding Condition PW/CE-6 requiring the developer, prior to recordation of the Tentative Tract Map, to provide engineering plans to the Community Development Department for staff to review and confirm whether the public improvements are consistent with the public improvement design for the Ramona Specific Plan, and adopt Resolution No. 07-80 approving the Tentative Tract Map, as amended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 07-80: A Resolution of the City Council of the City of Grover Beach, California, Approving a Tentative Tract Map for Development Permit Application No. 06-046, filed by the 10th Street Partnership for Property Located at 158 North 10th Street.

Recess: Upon consensus of the City Council, the meeting recessed at 8:16 p.m.
Reconvene: At 8:21 p.m., the meeting reconvened with all Council Members present.

Order of the Day: At this time, Mayor Lieberman requested that the Council consider amending the order of business to consider Agenda Item No. 9 next, as there were members of the public seated in the audience still waiting to speak on that item. Upon consensus, the Order of the Day was amended as requested.

Prior to discussion of Agenda Item No. 9, Council Member Nicolls declared a conflict of interest due to residency within the Mar Brissa housing development, stepped down from the dais, and left the room.

Mayor Lieberman declared a conflict of interest due to his residence being located within 500 feet of the subject housing subdivision, stepped down from the dais, and left the room.

Mayor Pro Tem Shoals presided over the meeting at this time.

9. Request to Accept the Mar Brissa Retention Basin.

Mayor Pro Tem Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault gave an overview of the request from the homeowners association that the City assume responsibility for the sewer lift station and the retention basin. He stated that one of the original conditions for subdivision approval required that both the sewer pump station that served the subdivision and the drainage retention basin be constructed by the developer and maintained by the homeowners association.

He further stated that assuming maintenance responsibility and liability for the sewer lift station was not being recommended, due to the City's limited resources and the fact that the lift station only served properties within the Mar Brissa subdivision. However, with regard to the retention basin located behind the "Welcome to Grover Beach" monument entrance sign on North 4th Street on land dedicated to the City for open space, it was determined that it served a drainage area that extended beyond the Mar Brissa subdivision. Additionally, prior to bringing the request for acceptance to the Council for consideration, the homeowners association had completed a number of improvements to the retention facility which met City maintenance standards. City Manager Perrault then responded to Council questions.

Council Member Ashton objected to the request. He distributed a one-page list of questions to pose to the homeowners association that also included a list of association documents that he thought the City should require for review and inspection prior to any further Council consideration of the request.

Mayor Pro Tem Shoals invited comments from those in the audience who wished to be heard on this matter.

The following persons spoke in opposition to the request, stating that it only benefitted residents who resided within the gated Mar Brissa subdivision:

- Anita Shower, Grover Beach;
- Liz Doukas, Grover Beach; and
- Don Fielding, Grover Beach.

The following persons spoke in support of the request:

- Dr. Jan Roberson, Grover Beach, Mar Brissa Homeowner's Association Director, who reviewed recent improvements made to the retention basin to meet acceptable City standards and the costs incurred by the association, and noted that the City already maintained property immediately surrounding the retention basin; and
- Larry Nystrom, Grover Beach, Mar Brissa Homeowner's Association Director.

There were no further public comments received and Mayor Pro Tem Shoals closed the public comment period on this matter.

Public Works Superintendent Ford responded to questions regarding drainage in and around the subdivision and maintenance costs.

Further discussion was held regarding providing the Council with additional information before making a determination on the association's request.

Upon question, City Attorney Koczanowicz confirmed that it was the prerogative of the homeowners association regarding how to respond to the list of questions submitted by Council Member Ashton and whether to provide the City with the requested documents.

Action: Upon consensus of those Council Members present, this matter would be scheduled for future Council consideration only after the additional information and requested documentation from the homeowners association were provided. Additionally, staff was directed to outline alternative maintenance options for the retention basin, provide data on the amount of water being routed to the basin from outside the boundaries of the Mar Brissa subdivision, provide further information on formation of the homeowners association and development of the retention basin, and provide a pros/cons analysis if the City were to accept the basin.

At this time, Council Member Nicolls and Mayor Lieberman returned to the dais.

Order of the Day: The Order of the Day resumed as posted.

2. Consideration of an Amendment to the Grover Beach Municipal Code Zoning Regulations, Providing for Regulations Governing Residential Density Bonuses and Development Concessions/Incentives.

Mayor Lieberman read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Hansen gave an overview of the State requirement to provide density bonuses and incentives for residential projects with a minimum threshold of five (5) units that included an affordable housing component. He stated that the proposed amendment, as recommended by the Planning Commission, would establish regulations and procedures for granting density bonuses and development concessions/incentives for projects that contained less than five (5) residential units in exchange for an affordable housing component. He then responded to Council questions.

Brief discussion was held regarding whether to include a condition establishing a minimum square footage size or minimum percentage amount so that affordable units were designed to be of comparable size to units offered at market rates. Mayor Lieberman invited comments from those in the audience who wished to be heard on this matter.

Craig Smith, Grover Beach, requested that the Council consider offering additional development incentives to encourage a variety of mixed-use projects with affordable units, such as alternatives to the City's existing on-site parking requirements or amending the 50 percent ratio standard between residential and commercial units.

Steve Vierra, Pismo Beach, expressed concern that it might not be economically feasible for developers to design mixed-use projects if the City were to establish a minimum size requirement for affordable units.

There were no further public comments received, and the Mayor closed the Public Hearing.

Council discussion was held regarding the predominate number of affordable units being designed that were smaller in size than those offered at market rates, whether to require that future affordable units be designed equitably in size and amenities, and specific examples of recently approved multi-unit developments that included affordable units at all income level ranges.

City Attorney Koczanowicz and City Manager Perrault suggested amending the proposed Ordinance to add Section 9149.3(D) as follows: "It is the intent of this section to ensure that all projects applying for the concessions and incentives of this section provide for affordable housing units that are comparable in size, design and quality to the market units in the same project. The Community Development Director or his/her designee shall have the discretion and authority to enforce this provision during the application process."

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Ashton to conduct first reading of Ordinance No. 07-06 as amended, by title only, and schedule second reading and adoption at the next regular City Council meeting. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 07-06: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article IX, Planning and Zoning Regulations, Chapter 1, Zoning Regulations of the Grover Beach Municipal Code, Adding Part 49 Affordable Housing / Density Bonus Regulations. (First reading only.)

3. Ordinance Amending the Grover Beach Municipal Code to Reflect the Change in Number of Members of the Parks, Recreation and Beautification Commission and Elimination of Quorum Requirements.

Mayor Lieberman read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Attorney Koczanowicz reviewed the draft Ordinance to reduce the number of Commissioners appointed to the Parks, Recreation and Beautification Commission from seven (7) to five (5) members pursuant to recommendation from the Parks, Recreation and Beautification Commission, and to remove the four-member quorum provision.

Mayor Lieberman invited comments from those in the audience who wished to be heard on this matter. There was no response and he closed the Public Hearing.

Action: It was m/s by Mayor Pro Tem Shoals/Council Member Ashton to conduct first reading of Ordinance No. No. 07-07, by title only, and schedule second reading and adoption at the next regular City Council meeting. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 07-07: An Ordinance of the City Council of the City of Grover Beach, California, Amending Article II, Chapter 5 of the Grover Beach Municipal Code, Decreasing the Size of the Parks, Recreation and Beautification Commission and Eliminating the Quorum Requirement. (First reading only.)

CONSENT AGENDA

It was m/s by Council Members Ashton/Bright to approve Consent Agenda Item Nos. 4, 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

4. Treasurer's Report for the Period July 11 - August 1, 2007.

Action: Approved as submitted.

5. Minutes of Regular City Council Meeting of June 4, 2007.

Action: Approved the minutes as submitted .

6. Second Reading of Ordinance to Amend Chapter 1, Part 37, Article IX of the Grover Beach Municipal Code Regarding Sight Triangles.

Action: Conducted second reading, by title only, and adopted Ordinance No. 07-05.

Ordinance No. 07-05: An Ordinance of the City Council of the City of Grover Beach, California, Amending Chapter 1, Part 37, Article IX of the Grover Beach Municipal Code Regarding Sight Triangles.

7. Budget Amendment to Fund the Narvacan Sister City Barbecue.

Action: Adopted Resolution No. 07-81 amending the FY 08 Budget.

Resolution No. 07-81: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 4th Amendment to the FY 08 Annual Appropriation Resolution No. 07-67 by Appropriating \$1,500 for the Cost of the Biennial Sister City Picnic.

REGULAR BUSINESS

10. Acceptance of Department of Homeland Security Commercial Equipment Direct Assistance Program Award.

Mayor Lieberman read the title to the foregoing item and deferred to staff for a report. Police Chief Copey gave an overview of grant funds obtained from the Department of Homeland Security (DHS) under the Commercial Equipment Direct Assistance Program (CEDAP) to purchase enhanced video surveillance equipment and provide two-day training. He then reviewed various public safety operations that would benefit from the enhanced equipment.

There was no discussion held and no public comments were received on this matter.

Action: It was m/s by Council Member Nicolls/Mayor Pro Tem Shoals to accept the Department of Homeland Security Commercial Equipment Direct Assistance Program (CEDAP) Award of equipment and training totaling \$49,950. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Bright, Nicolls, Mayor Pro Tem Shoals, and Mayor Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

COUNCIL COMMITTEE REPORTS

Council Member Ashton reported on the meeting of Parks, Recreation & Beautification Commission.

Council Member Bright stated that she had nothing to report.

Council Member Nicolls stated that he had missed the recent meeting of the Air Pollution Control

District as he was attending the League of California Cities Mayors and Council Members Executive Forum and Leadership Conference in Monterey, and that Housing Trust Fund Executive Director Jerry Rioux was now out of the hospital and working from home.

Mayor Pro Tem Shoals deferred his committee reports due to the late hour.

Mayor Lieberman stated that he had nothing to report.

CITY COUNCIL AGENDA

None.

COUNCIL COMMUNICATIONS

- A. Council Member Ashton announced a Neighborhood Watch meeting would be held on August 14, 2007, at 6:30 p.m. at the Ramona Garden Park Center with City Manager Perrault as the featured guest speaker.
- B. Mayor Pro Tem Shoals stated that, due to a business conflict, he would not be attending the special City Council workshop on financing street improvements on August 7, 2007, and that he also would not be attending the City Council meeting on August 20, 2007.

He then praised former *Coast News* reporter Bob Behme as being a fair reporter and expressed his condolences to the Behme family.

- C. Mayor Lieberman commented on the positive remarks made at Mr. Behme's memorial service regarding his professionalism and patient demeanor as a news reporter.

He then stated that he would not be able to attend the Regional Energy Conference August 23-24 and asked that, if someone else was planning to attend, a report on the conference be provided to the Council. He then commented on recent bus route changes and the considerable confusion observed at the Pismo Beach factory outlet stores on Five Cities Drive related to the location of the bus benches.

Mayor Pro Tem Shoals briefly reviewed recent bus route changes and discrepancies that would be discussed by the Board of Directors regarding actions taken by the Regional Transit Authority and direction given by the South County Area Transit Board.

CITY MANAGER'S REPORTS AND COMMENTS

- 11. **Proposed Cancellation of the Regular City Council Meeting of Tuesday, September 4, 2007 Due to the League of California Cities Annual Conference September 5-8, 2007.**

City Manager Perrault requested that the Council consider cancelling the first meeting in September since a majority of the Council Members were scheduled to attend the Annual League of California Cities Conference that was scheduled to begin the next day.

Action: Upon consensus of the Council, the Regular City Council meeting of Tuesday, September 4, 2007 was cancelled.

- 11A. **Request to Schedule a Matter on a Future Agenda Regarding an Affordable Housing Project by Marilyn Sullivan of Saint Joseph Properties LLC and Payment of Fees.**

City Manager Perrault distributed copies of a letter that was received subsequent to posting of the agenda and distribution of the agenda packet from Ms. Marilyn Sullivan of Saint Joseph Properties regarding a development project currently under construction at

385 South 8th Street. He stated that the letter requested the Council to consider paying 20% of her project's permit and school fees with redevelopment agency housing set-aside funds, based on the fact that one of the five units was designated as "affordable housing". He then requested Council consensus whether to schedule this matter for consideration on a future agenda as no formal action could be taken on the request at this time pursuant to the Brown Act.

Brief discussion was held that there was no existing program in place for such requests, and that the request should have been presented prior to the project's approval and commencement of construction.

Action: Upon consensus by a majority of the Council, City Manager Perrault was directed not to place Ms. Sullivan's request on a future agenda.

CITY ATTORNEY'S AGENDA

None at this time.

Recess: Upon consensus of the City Council, the meeting recessed at 10:20 p.m. to conduct the Joint City Council / Improvement Agency meeting that was also scheduled for this same evening.

Reconvene: At 10:33 p.m., the meeting reconvened with all Council Members present.

CLOSED SESSION

At the request of City Manager Perrault, Closed Session Item No. 1 was cancelled.
At 10:33 p.m., the Council met in Closed Session regarding Closed Session Item No. 2:

1. Conference with Labor Negotiators

Pursuant to Government Code Section 54957.6.

Agency Negotiator: City Manager, James K. Katen, Administrative Services Director, Assistant Administrative Services Director, Human Resources Coordinator, Police Lieutenant, and Police Chief.

Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)

2. Public Employee Performance Evaluation

Pursuant to Government Code Section 54957

Employee: City Manager

Closed Session Announcements: At 10:48 p.m., Mayor Lieberman reconvened the meeting to open session with all Council Members present, and announced there were no reportable actions taken during Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Lieberman adjourned the meeting at 10:48 p.m.

/s/STEPHEN C. LIEBERMAN, MAYOR

Attest:

/s/DONNA L. McMAHON, CITY CLERK

(Approved at CC Mtg 10/15/07)