

**MINUTES
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 18, 2006**

CALL TO ORDER Mayor Versaw 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

FLAG SALUTE The flag salute was led by Josh Riker, 11-year-old sixth grade student from Grover Heights Elementary School.

ROLL CALL

City Council: Council Members Ashton, Ekbohm, Shoals, Mayor Pro Tem Lieberman, and Mayor Versaw were present.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Community Development Director Hansen, Police Chief Copsey, Public Works Superintendent Ford, Planner III Hetherington, and Human Resources Coordinator Barrett were also present.

Also present were City Engineer Garing and Labor Negotiator James Katen.

CLOSED SESSION ANNOUNCEMENTS: Mayor Versaw read the following announcement:

On Tuesday, September 5, 2006 after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Pending Litigation
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al,
and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214.

the City Council reconvened into open session and announced there were no reportable actions taken.

CEREMONIAL CALENDAR

None at this time.

PRESENTATIONS

1. Presentation from the South San Luis Obispo County Sanitation District Regarding the Wastewater Rate Study.

Mayor Versaw invited representatives from the South San Luis Obispo County Sanitation District and the District's consultant to give the presentation.

Tom Zender, District Engineer, gave a brief overview of the Sanitation District.

Referencing a PowerPoint presentation, Clayton Tuckfield of Tuckfield and Associates, the District's consultant, gave a detailed overview of why the rate changes were being proposed to meet the District's financial challenges, identified major capital improvements planned for the wastewater facility, and gave an overview of the proposed financing plan and proposed rate increases for the period January 2007 through May 2010. He then provided a comparison between the rates being proposed and the rates of other wastewater treatment facilities.

Mr. Tuckfield, Mr. Zender, and Administrative Services Director Chapman then responded to questions from the Council. The Council praised the District for its efficiency and well-managed operations. It was noted that the District had not increased its residential wastewater rates for the past 20 years.

Action: The information was received and filed.

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. He requested public cooperation and decorum during the campaign season.

- A. Gary Edmunds, Grover Beach, objected to high-density developments that had been approved by the City and the current method of calculating allowable density.
- B. Liz Doukas, Grover Beach, objected to the high-density residential project approved at the September 5, 2006 City Council meeting to be constructed at 385 South 8th Street.
- C. Don Fielding, Grover Beach, objected to the amount of staff time spent on the proposed Grand Paseo hotel project, which was eventually denied by the City Council.

For the information of those present, Mayor Versaw briefly summarized the standard procedure when a project application was received and reviewed by staff in preparation for presentation before the Planning Commission and/or City Council. He also clarified that Council discussion on the Grand Paseo hotel project earlier in the year was in reference to a proposed Development Disposition Agreement, not regarding a design agreement nor to initiate eminent domain proceedings.

It was noted that the Candidates' Forum for Grover Beach City Council Candidates was scheduled for the following evening, Tuesday, September 19, 2006, 6:00 p.m., at the Ramona Garden Park Center, and that the public was encouraged to attend the Forum.

- D. John Wysong, Grover Beach, objected to the amount of time a project applicant was allowed to speak at the September 5, 2006 City Council meeting, objected to proposed three-story developments in his neighborhood, and voiced concern that the City allowed multi-story buildings without requiring the installation of elevators.

There were no further comments received, and the Mayor closed the Public Communications segment for this portion of the meeting.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Versaw pulled Item No. 4 at the request of a citizen. Council Member Shoals stated that he would abstain from voting on Consent Agenda Item No. 3 as he was absent from the meeting of August 21, 2006. It was m/s by Mayor Pro Tem Lieberman/Council Member Ashton to approve Consent Agenda Item Nos. 2, 3, and 5 as recommended. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Ekbohm, Shoals (*except* for Consent Agenda Item No. 3), Mayor Pro Tem Lieberman, and Mayor Versaw.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Member Shoals (for Consent Agenda Item No. 3 *only*).

2. Treasurer's Report for the Period August 30 - September 13, 2006.

Action: Approved as submitted.

3. Minutes of the City Council Meeting of Monday, August 21, 2006.

Action: Approved the minutes as submitted (*except* for Council Member Shoals, as he was absent from the meeting).

5. Federal Equitable Sharing Agreement.

Action: Authorized the Mayor and the Chief of Police to sign the Federal Equitable Sharing Agreement, entering into an agreement with the Department of Justice that will allow the City to receive federally forfeited assets from adjudicated narcotics cases.

Mayor Versaw called for discussion on Consent Agenda Item No. 4.

4. Second Reading of the Ordinance Establishing a Transactional and Use Tax Subject to Voter Approval at the November Election.

Mayor Versaw read the title to the foregoing item and invited public comment on this issue.

Gary Edmunds, Grover Beach, objected that the sales tax increase on the November 2006 ballot did not designate the funds to be used exclusively for street improvements. Don Fielding, Grover Beach, commented on the percentage of the budget designated for staff salaries.

City Manager Perrault noted that in placing the measure on the November ballot, the Council recognized that there were many areas in the budget that were in need of assistance from the General Fund. He stated that the goal of the proposed Sales Tax Measure was to have a sustainable General Fund. It was also noted that one requirement of the proposed measure was the formation of a Citizens' Oversight Committee.

Action: It was m/s by Council Member Ekbom/Mayor Pro Tem Lieberman to conduct second reading, by title only, and adopt Ordinance No. 06-12. The motion carried on the following roll call vote:

AYES: Council Members Ekbom, Shoals, Mayor Pro Tem Lieberman, and Mayor Versaw.
NOES: Council Member Ashton.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Ordinance No. 06-12: An Ordinance of the City of Grover Beach, California, Adding Chapter 15 to Article X of the Grover Beach Municipal Code Establishing a Transactions and Use Tax to be Administered by the State Board of Equalization.

REGULAR BUSINESS

6. Award of Bid for the Street Rehabilitation Project and System Upgrades - South 6th Street, from Longbranch Avenue to Rockaway Avenue, and from Trouville Avenue to Seabright Avenue.

Mayor Versaw read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, City Engineer Garing stated that this project was the first half of the FY 07 Local Street Rehabilitation Program. The second half of the program would be on South 14th Street, from Rockaway Avenue to Trouville Avenue, and would be sent out to bid after completion of the Mentone Storm Drain Project. He then reviewed the bids received, engineer's estimate, estimated construction costs, and proposed contingency. He also noted an approximate fund shortfall anticipated for the South 14th Street Project and then responded to questions from the Council.

Brief discussion was held regarding contingency funds, costs to completely rebuild a street versus costs for pavement overlay, and outreach efforts to property owners in the project area regarding curb, gutter, and sidewalk improvements. It was noted that specific streets previously identified for repair would be presented at the Special City Council meeting scheduled for Tuesday, September 26, 2006 during discussion of the Pavement Management System.

Action: It was m/s by Council Member Shoals/Mayor Pro Tem Lieberman to: 1) adopt Resolution No. 06-80 awarding the bid for South 6th Street Improvements to the lowest responsible bidder, Granite Construction Company, in the amount of \$198,740.00, including staking costs, construction management costs, and 10 percent contingency costs for a total of \$230,538.40; 2) authorize the City Manager to sign and affirm change orders to the project in amounts totaling up to \$19,874.00 to be deducted from said contingency; and 3) authorize the Mayor to execute the contract on the City's behalf. The motion carried on the following roll call vote:

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

Resolution No. 06-80: A Resolution of the City Council of the City of Grover Beach, California, Awarding the Bid for the Street Rehabilitation and System Upgrades South 6th Street, Longbranch Avenue to Rockaway Avenue and Trouville Avenue to Seabright Avenue.

7. 2006 Sewer Master Plan.

Mayor Versaw read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, City Engineer Garing provided information regarding an evaluation of the City's existing sanitary sewer system capacity and recommended improvements through the year 2025. He reviewed the history of the sewer system from 1965 to 2005, which now included approximately 34 miles of pipeline, seven lift stations, and approximately 5,500 feet of associated force mains; noted the locations of trunk mains where design capacity was exceeded during peak flow conditions; and the possibility of an expanded service area into Agency Area Two, which would require building a new trunk main in the southern portion of the City south of Farroll Road. Funding options were also presented. City Engineer Garing then responded to questions.

Council discussion was held regarding the type of materials used for sewer lines, formation of an assessment district to improve sewer service along South 4th Street and other southern portions of the City, three phases of construction proposed for future service improvements, the frequency of peak flow conditions, sewer transmission lines connected to the community of Oceano, and the critical importance of providing adequate sewer service to all areas of the City. Further discussion was held regarding suggested amendments to the Sewer Master Plan.

Upon question, City Engineer Garing clarified that there had been an unsuccessful attempt to form an assessment district in 1977.

City Manager Perrault confirmed that, upon adoption of the Sewer Master Plan, staff recommended scheduling an update to the City's sewer rates and development impact fees.

Action: It was m/s by Council Member Shoals/Mayor Pro Tem Lieberman to adopt Resolution No. 06-81 approving and adopting the 2006 Sewer Master Plan with the following amendments: 1) include estimated costs for flow meters, maintenance and repair for manholes; 2) modify Figure 1 to include Rose Court; 3) modify Figures 10 and 11 to delineate other areas to be included in a potential assessment district; 4) examine any necessary modifications to sewer rates and development impact fees; and 5) include improvements for drop manholes. Further, staff was directed to measure flows for the trunk sewer at the following locations: South 4th Street at Seabright Avenue, and Mentone Avenue at South 9th Street, and reactivate the existing trunk main meter in the trunk main on Highway One. The motion carried on the following roll call vote:

AYES: Council Members Ashton, Ekbom, Shoals, Mayor Pro Tem Lieberman, and Mayor Versaw.

NOES: Council Members - None.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

Resolution No. 06-81: A Resolution of the City Council of the City of Grover Beach, California, Approving and Adopting a Sewer Master Plan for the City of Grover Beach.

8. Sex Offender Residency Restrictions.

Mayor Versaw read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz gave an overview of the report regarding the feasibility of a zoning ordinance to specify where sex offenders could reside and what restrictions the City could impose on those types of residences. He also noted one correction to the staff report in that the City of Arroyo Grande did not have an ordinance regarding registered sex offenders. City Attorney Koczanowicz also noted Proposition 83, or "Jessica's Law", was on the ballot for the November 7, 2006 Statewide General Election, which established a "predator-free zone" prohibiting sex

offenders from living within 2,000 feet of schools or parks for the duration of their registration period, and that the State election results and any legal challenges to Proposition 83 would have some bearing on the structure of any proposed local zoning ordinance.

Brief discussion was held regarding the time frame to adopt a local zoning ordinance, which would occur after the November election, and potentially conflicting regulations if Proposition 83 was approved.

Upon question, Police Chief Copsey gave an overview of notification procedures within the parameters of Megan's Law to notify residents if a sex offender moved into the area, and notification restrictions depending on the crime and the sentence. He also noted that further changes to the notification process would become effective in January 2007 for national classifications and guidelines as a result of the "Adam Walsh Law".

City Attorney Koczanowicz stated that if Proposition 83 were approved, it might be possible to identify additional "safe zones" such as daycare centers in private homes and areas frequented by children. He then recommended against adopting a local ordinance until after the statewide results of the November election had been determined, and upon question confirmed that this issue would not be appropriate for consideration as a local emergency ordinance.

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

The following persons spoke in support of a local ordinance establishing residency restrictions for sex offenders:

- Jeff Appleton, Grover Beach; and
- Cassandra Appleton, Grover Beach.

There were no further public comments received.

Further Council discussion was held regarding considering a local ordinance after the November statewide election results were determined; having staff identify the 2,000-foot radius areas around schools, parks, and other child-sensitive areas to determine how much of the City would be impacted; and whether that distance should be modified by a local ordinance.

Action: Upon consensus of the City Council, the City Attorney and staff were directed to 1) monitor the outcome of Proposition 83 and be ready to proceed whether the Proposition passed or failed; 2) in the event Proposition 83 was approved at the November 7, 2006 Statewide General Election, prepare an ordinance for City Council consideration to establish local safe zones; and 3) identify the radius for places where children congregate based on distances already established by another City ordinance regarding adult uses.

Recess: Upon consensus of the City Council, the meeting recessed at 9:00 p.m.
Reconvene: At 9:06 p.m., the meeting reconvened with all Council Members present.

PUBLIC HEARINGS

Prior to discussion of Agenda Item No. 9, Mayor Versaw voluntarily recused himself, citing his intent to ensure that all parties received due process. Council Member Ashton declared a conflict of interest due to a business relationship and property in common with one of the parties to the action. Both stepped down from the dais and left the room. Mayor Pro Tem Lieberman presided over the meeting at this time.

9. Appeal of Planning Commission Action Sustaining the Community Development Director's Administrative Approval of a Lot Line Adjustment.

Applicants: Robert Grayson and Martin Friedman. Appellant: Anita Shower.

Location: Lot Line Adjustment No. 06-004 involving two existing lots located at the northwest corner of North 6th Street and Grand View Drive in the Coastal Single Family Residential (C-R-1) and Single Family Residential (R-1) Zoning Districts.

Mayor Pro Tem Lieberman read the title to the foregoing item and identified additional documentation received by the Council subsequent to distribution of the agenda packet: 1) correspondence from neighboring residents to the subject location which supported the appeal; 2) minutes from the August 8, 2006 Planning Commission Meeting; and 3) a memorandum dated September 12, 2006 from the City Attorney's Office to the City Council advising against consultations prior to the Public Hearing. He then declared the Public Hearing open and deferred to staff for a report.

Community Development Director Hansen gave a brief historical overview of the issue, including the Planning Commission's approval of the administrative approval and finding that the reconfigured lots would allow future developments which were consistent with the neighborhood. He then summarized the appeal. Community Development Director Hansen noted that staff had received a number of petitions from neighborhood residents that opposed the proposed lot line adjustment, primarily indicating that the resulting configuration would lead to development that was inconsistent with the rest of the neighborhood.

Council discussion was held regarding the original size of lots shown on tract maps, issues discussed by the Planning Commission, and what the resulting lot sizes would be if the lot line adjustment were approved. Upon question, Planner III Hetherington and City Engineer Garing provided historical information regarding how lots were measured for the original tract maps by D. W. Grover and that, with modern surveying technology and equipment, it was discovered that the actual measurements of lots throughout the City differed from the dimensions indicated in the original tract maps.

Mayor Pro Tem Lieberman invited comments from those in the audience who wished to be heard on this matter, starting with the Appellant.

The following person spoke in support of the appeal:

- Anita Shower, Appellant, Grover Beach, gave an historical overview of her property and surrounding properties on North 6th Street, confirmed she was not interested in selling her 30-foot lot, and stated that the proposed lot line adjustment would adversely affect the neighborhood.

The following persons spoke in opposition of the appeal and in support of the lot line adjustment:

- Byron Pruitt, Grover Beach, who stated he lived across the street from the subject property; and
- Martin Friedman, Co-applicant and owner of one of the lots, introduced himself and his partner, Robert Grayson, the owner of the other lot. Mr. Friedman acknowledged that both lots were already legally buildable lots. He stated that their intent was not to build two homes that were 20 to 25 feet wide, but to build homes that were visually conformed with the rest of the neighborhood. He then summarized the more than year-long process working with City staff and appearing at Planning Commission and City Council meetings.

There were no further public comments received at this time.

Further discussion was held regarding neighborhood opposition and property rights, the size of corner lots, issues discussed by the Planning Commission, and the procedure if this matter was referred back to the Planning Commission for further consideration.

Upon request from the Co-applicant, Mayor Pro Tem Lieberman re-opened public comment.

Mr. Friedman, Co-applicant, objected to having the matter referred back to the Planning Commission, stating that the Commission had reviewed all the information necessary to make its determination.

Byron Pruitt, Grover Beach, requested and received an explanation of the term "buildable lot".

Anita Shower, Appellant, provided additional historical information regarding original property owners and developments on North 6th Street.

There were no further public comments received and Mayor Pro Tem Lieberman closed the Public Hearing.

Further Council discussion was held regarding the two subject properties; how the properties could be developed currently without the lot line adjustment; and that if the lot line adjustment was approved, the end result would still be one conforming lot and one non-conforming lot. It was also noted that the appearance of the one non-conforming lot would be less noticeable without the installation of curb, gutter, and sidewalk. The Council acknowledged the concerns raised by the neighbors as well as the desire of the applicants to build two homes that conformed with the existing neighborhood, and that the difference between the measurements from the original tract maps and the actual measurements based on current technology was not a significant amount.

Upon question, City Attorney Koczanowicz confirmed that the Council could not legally condition the lot line adjustment to a specific building footprint. Upon question, Community Development Director Hansen confirmed there was a reasonable opportunity to save an existing oak tree on one of the subject properties if the lot line adjustment was denied.

Action: It was m/s by Council Members Ekbom/Shoals to uphold the appeal, deny the administrative approval of the lot line adjustment, and direct staff to return with a Resolution at the October 2, 2006 City Council meeting with a finding of denial based on the fact that a lot line adjustment for an existing non-conforming lot to a non-conforming lot was of no benefit to the City. The motion carried on the following roll call vote:

AYES: Council Members Ekbom, Shoals, and Mayor Pro Tem Lieberman.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Ashton, Mayor Versaw.

City Attorney Koczanowicz stated that staff would return to Council with a Resolution on the Consent Agenda, with findings of denial based on the content of the motion.

At this time, Mayor Versaw and Council Member Ashton returned to the dais.

COUNCIL COMMITTEE REPORTS

Council Member Ekbom stated that he had nothing to report.

Council Members Ashton, Shoals, Mayor Pro Tem Lieberman, and Mayor Versaw each stated they would postpone their respective committee reports to the next regular meeting.

CITY COUNCIL AGENDA

10. Request to Place an Item on a Future City Council Agenda Regarding a Discussion of City Employee Pension Programs.

Council Member Ekbom stated that this matter was postponed from the September 5, 2006 meeting, and was not intended for a full debate at this time. He stated that the issue of pension programs was a serious state-wide problem, many businesses were eliminating defined benefit packages, and pension programs were a factor in employee negotiations. He stated that the issue of benefits had to be addressed and suggested some kind of dual system, especially for new hires. He requested scheduling Council discussion of this issue with input from the League of California Cities and other knowledgeable individuals on the matter, and discussion of how the City could protect itself.

Brief discussion followed with suggestions regarding potential individuals to contact from other cities in the area for information and input as well as a representative from the League of California Cities.

Action: Upon consensus, staff was directed to contact the League of California Cities to schedule a presentation and report back to the City Council.

COUNCIL COMMUNICATIONS

- A. Council Member Ashton announced that the topic for the next Neighborhood Watch meeting, scheduled for Wednesday, September 20, 2006 at 6:30 p.m., was Child Awareness Week. Upon request, Police Chief Copsey stated that the Neighborhood Watch Group, along with the Grover Beach Rotary Club, would be providing child identification kits and assisting parents or guardians with fingerprinting and other information to be contained in the kits. He noted the kits would be given to parents or guardians as identification records in the event a child was lost or missing.
- B. Mayor Versaw stated that he had attended the official grand re-opening of the Grover Heights Park large group picnic area on September 15, 2006. He commented on the variety of funding sources for the project, both public and private, and commended the Parks and Recreation Department and the Parks, Recreation and Beautification Commission for the excellent outcome of the project.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault reminded all those present of the Special City Council Workshop scheduled for Tuesday, September 26, 2006 at 6:30 p.m. to review the new Capital Improvement Plan and the Pavement Management System.

CITY ATTORNEY'S REPORTS AND COMMENTS

11. Follow-up on Citizen Request for An Amendment to the Grover Beach Municipal Code to Allow Seatrains Storage Containers on Residential Property.

Mayor Versaw read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz briefly summarized the history of this matter that resulted from a notice of violation issued to Ms. Teresa Schmidt for a seatrain storage container on her property, and her subsequent request that the City amend that regulation to allow such containers.

City Attorney Koczanowicz reported that on June 21, 2004, the Council reviewed Ms. Schmidt's request and the City's existing regulations, which became effective in September 1983. Following staff presentation and public comment at the June 21, 2004 meeting, Council directed staff not to spend any additional time and resources on this issue and to enforce the City's regulations prohibiting possession and installation of seatrain storage containers without prior and proper use permits and necessary approvals.

Brief discussion was held regarding the procedure to obtain a permit through the Community Development Department, the prohibition of these type of containers in certain zoning districts of the City, visual blight, and whether to allow installation if the containers were adequately screened from public view.

Upon question, City Attorney Koczanowicz stated that the zoning ordinance would have to be amended to permit a storage container on Ms. Schmidt's property and that a use permit would not be appropriate for this circumstance.

Further discussion was held regarding referring this issue to the Planning Commission for review and recommendation, and contacting those property owners already notified of code violations of pending review and possible amendment to the City's regulations regarding seatrain storage containers.

Action: Upon consensus, staff was directed to request the Planning Commission to advise the Council on the feasibility of permitting seatrain storage containers in the R-1 zone, subject to conditions. Additionally, to the extent that existing violations had already been identified and contact made with the property owners, staff was directed to contact those individuals and advise them of the action taken at this meeting, and note that the City was not waiving the right to pursue enforcement, but in view of possible amendments, action was stayed until further notice.

12. Consideration of Amendments to Chapter 4 of Article X of the Grover Beach Municipal Code with Regard to Card Table Licenses and Regulations.

Mayor Versaw read the title to the foregoing item and deferred to staff for a report. For the information of those present, City Attorney Koczanowicz stated that a moratorium by the State, which had previously prohibited the addition of card table licenses within the City, had been changed. State law now allowed the City to consider an increase in the total number of card tables by 25 percent or two tables, whichever was greater. He stated that the Grover Beach Municipal Code allowed a total of five card tables with only two card tables per single owner and no more than two tables per location. City Attorney Koczanowicz stated that, at a later time, staff would bring back the issue of fees, which was currently set at \$300 per table. City Attorney Koczanowicz clarified that any change to the Ordinance would not represent a granting of any license to a specific card table operator and that anyone could apply for the additional tables.

Mayor Versaw invited comments from the public on this matter.

David Stearns, owner of Central Coast Casino, spoke in support of increasing the total number of card tables in the City and per location, stating that it would benefit the City as well as his business.

Stuart McQuaid stated that he represented Gene Stroud, owner of the Gold Rush Casino in Grover Beach, who was out of town on a family medical emergency, and that Mr. Stroud's legal representative was John Fricks of San Luis Obispo. Mr. McQuaid stated that Mr. Stroud's application for a license was still in process with the State and awaiting final approval.

There were no further public comments received.

Brief discussion was held regarding parking requirements and potential economic benefits to the community from increasing the number of card tables allowed. Upon question, Police Chief Copsey acknowledged law enforcement concerns with the issue of gambling but stated that neither card room establishment identified had presented a problem related to law enforcement calls for service.

City Attorney Koczanowicz confirmed that staff would provide information regarding the licensing fee and recommendations for amendment at a future meeting.

Action: It was m/s by Council Members Ekbohm/Shoals to direct staff to return with an Ordinance to increase the number of card tables from five (5) to seven (7), and to change the maximum number of tables per single location to four (4). The motion carried on the following roll call vote:

AYES: Council Members Ashton, Ekbohm, Shoals, and Mayor Versaw.

NOES: Mayor Pro Tem Lieberman.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

CLOSED SESSION

At 10:48 p.m., the Council met in Closed Session regarding the following items:

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. **Conference with Legal Counsel - Anticipated Litigation**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One (1) potential case
- 3 **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Attorney
4. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Manager

Closed Session Announcements: At 11:41 p.m., Mayor Versaw reconvened the meeting in open session with all Council Members present, and announced that there were no reportable actions taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Versaw adjourned the meeting at 11:41 p.m.

/s/ LARRY VERSAW, MAYOR

Attest: /s/ DONNA L. McMAHON, CITY CLERK

(Approved at CC Mtg 11/20/06)