

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, MAY 17, 2010**

**CALL TO ORDER** Mayor Pro Tem Nicolls 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 in memory of Samantha Ford, eldest daughter of Public Works Superintendent Mike Ford, and the Ford family.

**FLAG SALUTE** The flag salute was led by Council Member Mires.

**ROLL CALL**

City Council: Council Members Bright, Mires, Peterson, and Mayor Pro Tem Nicolls were present. Mayor Shoals was absent.

City Staff: City Manager Perrault, City Attorney Koczanowicz, City Clerk McMahon, Administrative Services Director Chapman, Public Works Director/City Engineer Ray, Police Chief Copsey, Parks and Recreation Director Petker, and Human Resources Coordinator Barrett were also present.

Also present were Parks, Recreation & Beautification Commission Chair Leah Greeley and Parks, Recreation & Beautification Commissioner Ellie Ross.

**AGENDA REVIEW**

**Action:** Upon unanimous consensus (Mayor Shoals absent), the Council adopted the agenda as presented.

**CEREMONIAL CALENDAR**

**1. Proclamation Declaring May 16 - 22, 2010 as “National Public Works Week”.**

Public Works Director/City Engineer Ray read and presented the Proclamation to Maintenance Worker II Homero Flores, stating Mr. Flores was awarded the 2009 Public Works Division Employee of the Year and had been employed with the City for 17 years.

Council Member Peterson took the opportunity to commend Public Works Department employees for their gracious demeanor and helpful attitudes.

**PUBLIC COMMUNICATIONS** The Mayor Pro Tem 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. Leah Greeley, Chair, Parks, Recreation & Beautification Commission, announced that the Spring Garden Tour would be held on Sunday, June 6, 2010.

**PUBLIC HEARINGS**

**2. Proposed Amendments to Grover Beach Municipal Code, Article 3, Chapter 9 Regarding Massage Establishments and Technicians.**

Mayor Pro Tem Nicolls read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. For the information of those present, Police Chief Copsey stated that the State had adopted legislation in 2008 establishing a statewide certification and enforcement procedure for massage practitioners, and that legislation was currently being considered to provide local jurisdictions with more enforcement authority over massage businesses. He then outlined proposed amendments to the City’s regulations that would allow a locally-licensed massage practitioner to obtain an Off-site Massage Permit for special events, such as farmers’ markets, as well as implementing additional requirements regarding health and safety. Staff then responded to questions from the Council.

Mayor Pro Tem Nicolls 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 Council Members Mires/Bright to introduce Ordinance No. 10-03 for first reading, by title only, and schedule second reading and adoption at the next regular meeting of the City Council. The motion carried on the following roll call vote:

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

**Ordinance No. 10-03: An Ordinance of the City Council of the City of Grover Beach, California, Amending Section 3900 of Chapter 9 of Article III of the Grover Beach Municipal Code. (First Reading only.)**

### **CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Council Member Mires commented on Consent Agenda Item No. 4, stating he was pleased the City would be extending workers' compensation coverage to City volunteers.

It was m/s by Council Members Bright/Peterson to approve Consent Agenda Item Nos. 3, 4, and 5, as recommended. The motion carried on the following roll call vote:

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

**3. Treasurer's Report for the Period April 29 - May 11, 2010.**

**Action:** Approved as submitted.

**4. Extension of Workers' Compensation Coverage to City of Grover Beach Volunteers -** Authorizing a person who performs voluntary service without pay for the City to be deemed an employee while performing such service for purposes of workers' compensation coverage.

**Action:** Adopted Resolution No. 10-25.

**Resolution No. 10-25: A Resolution of the City Council of the City of Grover Beach, California Extending Workers' Compensation Coverage to City of Grover Beach Volunteers.**

**5. City-wide Energy Efficiency Improvements -** Adoption of a Resolution which includes certain language as required by the California Energy Commission (CEC) in order to receive grant funds for proposed energy retrofits at City facilities.

**Action:** Adopted Resolution No. 10-26 authorizing the City Manager to execute the agreement and future associated documents regarding projects for City-wide Energy Efficiency Improvements.

**Resolution No. 10-26: A Resolution of the City Council of the City of Grover Beach, California, Authorizing Submittal of an Application to the California Energy Commission's EECBG Program and Authorizing the City Manager to Accept a Grant Award Up to the Amount of \$71,058 for the City-wide Energy Efficiency Improvements.**

### **REGULAR BUSINESS**

**6. Resolution in Support of the California Outdoor Bill of Rights.**

Mayor Pro Tem Nicolls read the title to the foregoing item and deferred to staff for a report. For the information of those present, Parks and Recreation Director Petker provided an overview of the California Children's Outdoor Bill of Rights that was developed by the

California Roundtable on Recreation, Parks and Tourism (CRRPT) to address youth detachment from outdoor activities, lack of physical exercise, and increased health risks. She stated the bill encouraged children to engage in activities to improve their mental and physical health, and promoted a better understanding of the environment. She also noted that, at the Parks, Recreation & Beautification Commission meeting of April 15, 2010, the Commission reviewed the bill and a Resolution of support and recommended that the Council adopt the Resolution.

Mayor Pro Tem Nicolls invited public comments on this matter. There was no response and he closed the public comment period for this item.

Brief discussion was held regarding the Resolution as primarily a policy statement to be used in press releases, as well as a measurement for budget purposes regarding parks and recreation programs and activities.

**Action:** It was m/s by Council Members Peterson/Mires to adopt Resolution No. 10-27 in support of the California Children's Outdoor Bill of Rights. The motion carried on the following roll call vote:

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

**Resolution No. 10-27: A Resolution of the City Council of the City of Grover Beach in Support of the California Children's Outdoor Bill of Rights.**

Mayor Pro Tem Nicolls then read aloud the full text of the Resolution.

**Recess:** Upon consensus of the City Council, the meeting recessed at 7:08 p.m. to the Joint City Council / Improvement Agency meeting, which was also scheduled for this same evening.

**Reconvene:** At 7:12 p.m., the meeting reconvened with all Council Members present, except for Mayor Shoals who was absent from the meeting.

**COUNCIL COMMITTEE REPORTS**

Council Member stated she had nothing to report.

Council Member Mires reported on the meeting of the Integrated Waste Management Authority (IWMA).

Council Member Peterson reported on the meeting of the San Luis Obispo County Visitors and Conference Bureau (VCB).

Mayor Pro Tem Nicolls stated he had nothing to report.

**CITY COUNCIL MEMBER ITEMS**

None at this time.

**COUNCIL COMMUNICATIONS**

None at this time.

**CITY MANAGER'S REPORTS AND COMMENTS**

None at this time.

**CITY ATTORNEY'S REPORTS AND COMMENTS**

None at this time.

**CLOSED SESSION**

None at this time.

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Pro Tem adjourned the meeting at 7:20 p.m.

/s/ WILLIAM L. NICOLLS, MAYOR PRO TEM

Attest:

/s/ DONNA L. McMAHON, CITY CLERK  
(Approved at CC Mtg 11/01/2010)