



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: May 29, 2019

TO: Christine Daniel, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: **Second Reading Of An Ordinance Of The City Of Emeryville Amending Sections 5-37.01 And 5-37.02 Of Chapter 37 Of Title 5 Of The City Of Emeryville Municipal Code With Respect To The Minimum Wage For Employees Of Small Independent Restaurants; CEQA Determination: Exempt Pursuant To State CEQA Guidelines Sections 15324 And 15061(b)(3)**

RECOMMENDATION

Staff recommends that the City Council adopt the second reading of the attached ordinance amending Chapter 37 of Title 5 of the Emeryville Municipal Code, "Minimum Wage, Paid Sick Leave, and Other Employment Standards"; and make a determination that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15324 and 15061(b)(3).

DISCUSSION

The City Council adopted the first reading of the attached ordinance on May 21, 2019. After hearing a staff presentation and taking public testimony, the Council deliberated and adopted the first reading of the ordinance with the following modifications:

- Section 5-37.01(h): Definition of "Small independent restaurant" modified to stipulate that they have 20 or fewer locations globally instead of 12 or fewer locations globally.
- Section 5-37.03(c)(6): Modified to stipulate that the minimum wage for small independent restaurants shall be \$15.00 per hour beginning on July 1, 2019, and shall then increase from 93% of the minimum wage paid by employers which are not small businesses beginning on July 1, 2020, increasing by one percent of the minimum wage paid by employers which are not small businesses per year, up to an amount equal to the minimum wage paid by employers which are not small businesses beginning on July 1, 2027.

These modifications are incorporated into the attached ordinance. The staff report for the May 21, 2019 City Council meeting, which provides a detailed explanation of the amendments to the Municipal Code, is attached for reference (see Attachment 1).

FISCAL IMPACT

There is no increased cost associated with this proposed ordinance.

PREPARED BY: Chadrick Smalley, Economic Development and Housing Manager

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS

- Staff Report from May 21, 2019
- Draft Ordinance