



Emeryville City Hall
1333 Park Avenue
Emeryville, CA 94608
(510) 596-4300 phone
(510) 450-7831 fax
www.emeryville.org

CITY OF EMERYVILLE

ACTION MINUTES

City Council

Members:

Mayor Ally Medina
Vice Mayor Christian R. Patz
Council Member John J. Bauters
Council Member Scott Donahue
Council Member Dianne Martinez

Wednesday, May 29, 2019

7:16 PM

Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:16 p.m.

2. ROLL CALL

Council Member Donahue participated in the meeting via teleconference from the site listed below. The meeting agenda was posted at the teleconference site and the site was accessible to the public.

Location:
1509 16th Road North
Arlington, Virginia 22209
510-435-1861

Present: 5 - Mayor Ally Medina
Vice Mayor Christian R. Patz
Council Member John J. Bauters
Council Member Scott Donahue
Council Member Dianne Martinez

3. APPROVAL OF FINAL AGENDA

A motion was made by Council Member Bauters, seconded by Council Member Martinez, to approve the Final Agenda. The motion carried by the following vote:

Ayes: 5 - Mayor Medina, Vice Mayor Patz, Council Member Bauters, Council Member Donahue, and Council Member Martinez

4. SPECIAL ORDERS OF THE DAY

There were no Special Orders listed.

5. ANNOUNCEMENT OF COMMISSION / COMMITTEE VACANCIES

Deputy City Clerk Pham announced the upcoming annual interviews and appointments of Committee and Commission members at a

Special Meeting to be held on June 18, 2019.

6. COUNCIL MEMBER SPECIAL ANNOUNCEMENTS / REPORTS ON MEETING ATTENDANCE

There were no reports or announcements given.

7. CITY MANAGER'S REPORT

There was no report given.

8. EX PARTE COMMUNICATIONS

Council Member Martinez reported having communicated with representatives from SEIU 1021, Alameda Labor Council, and Building Construction Trades Council of Alameda County. She also reported receiving an several email messages from the public regarding Item 12.1.

Mayor Medina reported having the same communications and email messages as Council Member Martinez except for Building Construction Trades Council of Alameda County.

Council Member Bauters reported having the same communications as Mayor Medina and additionally with Townhouse Bar and Grill.

Vice Mayor Patz and Council Member Donahue reported receiving the same email messages from the public.

9. PUBLIC COMMENT FOR CONSENT AGENDA / ITEMS NOT ON THE AGENDA

1. A speaker refuted the need for more housing in Emeryville, and requested that Council Member Martinez provide facts to support her position.

10. CONSENT ITEMS

There were no Consent Items listed.

11. PUBLIC HEARINGS

There were no Public Hearings listed.

12. ACTION ITEMS

- 12.1.** [ID-2019-228](#) 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). (Charles S. Bryant / Chadrick Smalley / April Shabazz)

Attachments: [Staff Report](#)
[Staff Report from May 21, 2019](#)
[Draft Ordinance](#)
[Late Correspondence - Ruth Major](#)
[Late Correspondence - Ladonna Toliver](#)

Economic Development and Housing Manager Chadrick Smalley provided a brief overview and responded to Council Member Patz's questions.

PUBLIC COMMENT

1. Ladonna Toliver, Wing Stop, asked to add franchisees as a small independent restaurant into the proposed ordinance.
2. Kate O' Hara, representative of EBASE Alliance, spoke in opposition of the ordinance amendment.
3. Judy Timmel stated that it was not fair for small business owners to balance their budget on the backs of their lower paid workers.
4. Marilyn Boucher, Broken Rack, spoke on various items in support of the minimum wage ordinance amendment.
5. Andrea Mullarkey, Member Leader of SEIU 1021, spoke in opposition of a minimum wage carve-out for small restaurants, stating that the carve-out will hurt poor people.
6. Liz Ortega, Alameda Labor Council, opposed the ordinance amendment.
7. Erik Hansen, Moomi's Cafe, spoke in favor of the ordinance amendment.
8. Emon Toliver, Wing Stop, stated that franchisees should be added into the definition of small independent restaurant into the proposed ordinance.
9. John Nemec, Suspender Factory, stated that he is generally in favor of a minimum wage increase, with the exception of the increase coming in July.
10. A speaker commented workers would work at other cities outside of Emeryville due the passage of the the minimum wage ordinance amendment.
11. Damon Stainbrook, Pig in a Pickle, spoke in favor of the proposed ordinance.

A motion was made by Council Member Bauters, seconded by Council Member Martinez, to adopt this Ordinance. The motion carried by the following vote:

Ayes: 3 - Council Member Bauters, Council Member Donahue, and Council Member Martinez

Noes: 2 - Mayor Medina, and Vice Mayor Patz

Enactment No: Ordinance No. 19-007

13. DEPARTMENT HEAD REPORTS

There were no Department Head Reports listed.

14. FUTURE AGENDA ITEM REQUESTS FROM COUNCIL MEMBERS

Council Member Bauters requested and received support to add an item to the June 4, 2019 to make the annual June Pride resolution a continuing resolution and add a second Pride flag to be flown in front of City Hall for a short period time.

15. ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Emeryville City Council

**/Sheri Hartz/
Sheri Hartz, City Clerk**