



**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC  
DEVELOPMENT COMMITTEE  
SPECIAL MEETING**

**Monday, June 08, 2026  
10:30 AM**

2180 Milvia Street, Berkeley, CA 94704

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra  
Alternate: Councilmember Shoshana O'Keefe

This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the "raise hand" function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 165 545 9844**. To provide public comment, Press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee's consideration and inclusion in the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov). All Committee meetings are recorded.

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting, however, if you are feeling sick, please do not attend the meeting in person.

Pursuant to the City Council Rules of Procedure and State Law, the presiding officer may remove, or cause the removal of, an individual for disrupting the meeting. Prior to removing an individual, the presiding officer shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding officer may then remove the individual if they do not promptly cease their disruptive behavior. "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, a failure to comply with reasonable and lawful regulations adopted by a legislative body, or engaging in behavior that constitutes use of force or a true threat of force.

**California Government Code Section 84308 (Levine Act)** Parties to a proceeding involving a license, permit, or other entitlement for use are required to disclose if they made contributions over \$500 within the prior 12 months to any City employee or officer. Parties and participants with a financial interest are prohibited from making more than \$500 in contributions to a decisionmaker for the 12 months after the final decision is rendered on the proceeding. The above contribution disclosures and restrictions do not apply when the proceeding is competitively bid, or involves a personnel or labor contract. For more information, see Government Code Section 84308.

# AGENDA

## Roll Call

## Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

### 1. Minutes - March 2, 2026

## Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

### 2. **Adopt a Resolution in Support of California Senate Bill (SB) 1383 (Arreguín): Housing Development: Density Bonus: Labor Standards From: Councilmember Tregub (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor)**

**Referred Date: May 28, 2026**

**Due Date: November 12, 2026**

**Recommendation:** Adopt a Resolution in support of California Senate Bill (SB) 1383 (Arreguín), which would clarify that developers may not use concessions or incentives under California's Density Bonus Law to waive or reduce local labor standards relating to wages, apprenticeship requirements, healthcare benefits, or working conditions, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguín, and Assemblymember Buffy Wicks to support its passage.

**Financial Implications:** Staff time

Contact: Igor Tregub, Councilmember, District 4, (510) 981-7140

## Unscheduled Items

- None

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

## Items for Future Agendas

- Requests by Committee Members to add items to the next agenda

## Adjournment

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*Written communications addressed to the Land Use, Housing & Economic Development Committee and submitted to the City Clerk Department will be distributed to the Committee in advance of the meeting and retained as part of the official record.*

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953 and applicable Executive Orders as issued by the Governor that are currently in effect. Members of the City Council who are not members of the standing committee may attend a standing committee meeting even if it results in a quorum being present, provided that the non-members only act as observers and do not participate in the meeting. If only one member of the Council who is not a member of the committee is present for the meeting, the member may participate in the meeting because less than a quorum of the full Council is present. Any member of the public may attend this meeting. Questions regarding public participation may be addressed to the City Clerk Department (510) 981-6900.*

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at [ada@berkeleyca.gov](mailto:ada@berkeleyca.gov), (510) 981-6418 (V), or (510) 981-6347 (TDD) at least three business days before the meeting date. Attendees at public meetings are reminded that other attendees may be sensitive to various scents, whether natural or manufactured, in products and materials. Please help the City respect these needs.

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I hereby certify that the agenda for this meeting of the Standing Committee of the Berkeley City Council was posted at the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way, as well as on the City's website, on June 4, 2026.



Mark Numainville, City Clerk

**Communications**

*Communications submitted to City Council Policy Committees are on file in the City Clerk Department at 2180 Milvia Street, 1st Floor, Berkeley, CA, and are available upon request by contacting the City Clerk Department at (510) 981-6908 or [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov).*



**BERKELEY CITY COUNCIL LAND USE, HOUSING, & ECONOMIC  
DEVELOPMENT COMMITTEE  
REGULAR MEETING MINUTES**

**Monday, March 2, 2026  
10:00 AM**

Redwood Room – 2180 Milvia Street, 6th Floor, Berkeley, CA 94704

Committee Members:

Councilmembers Ben Bartlett, Igor Tregub, and Cecilia Lunaparra  
Alternate: Councilmember Shoshana O’Keefe

This meeting will be conducted in a hybrid model with both in-person and virtual attendance. Attend this meeting remotely using [Zoom](#). To request to speak, use the “raise hand” function in Zoom. To join by phone: Dial **1-669-254-5252 or 1-833-568-8864 (Toll Free)** and enter **Meeting ID: 161 762 1373**. To provide public comment, Press \*9 and wait to be recognized by the Chair. To submit a written communication for the Committee’s consideration and inclusion in the public record, email [policycommittee@berkeleyca.gov](mailto:policycommittee@berkeleyca.gov). All Committee meetings are recorded.

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## MINUTES

**Roll Call:** 10:08 a.m.

**Present:** Tregub, Lunaparra, Bartlett

**Public Comment on Non-Agenda Matters – 2 speakers.**

### Minutes for Approval

*Draft minutes for the Committee's consideration and approval.*

**1. Minutes - February 2, 2026**

**Action:** M/S/C (Bartlett/Tregub) to approve the February 2, 2026 minutes.

**Vote:** All Ayes.

### Committee Action Items

*The public may comment on each item listed on the agenda for action as the item is taken up. The Chair will determine the number of persons interested in speaking on each item. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Chair may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes.*

*Following review and discussion of the items listed below, the Committee may continue an item to a future committee meeting, or refer the item to the City Council.*

**2. Referral to Establish a Citywide Local Density Bonus Program to Facilitate Lower-Cost Ownership Homes (Condominiums)**

**From:** Councilmember Kesarwani (Author), Councilmember Tregub (Co-Sponsor), Mayor Ishii (Co-Sponsor), Councilmember Blackaby (Co-Sponsor)

**Referred:** January 26, 2026

**Due:** June 15, 2026

**Recommendation:** Refer to the City Manager to develop a citywide local density bonus modelled after the state density bonus that would incentivize new condominium development by allowing condo projects to take advantage of the same densities, bonuses, waivers, and concessions available under state density bonus law. Under the local density bonus, however, condo projects would be able to pay the current in-lieu affordable housing fee to the City's Housing Trust Fund for all units, rather than create on-site for-sale below-market-rate condo units—a requirement under state density bonus law that renders larger-scale condo development infeasible.

The fiscal and policy goals of this proposed citywide local density bonus are to help stalled rental residential projects in our downtown reach feasibility as condo projects, which will provide affordable housing in-lieu fee revenue, property tax revenue, serve as an economic force multiplier for our downtown, and provide much-needed ownership opportunities for young families seeking a starter home and aging residents seeking to downsize. Further, the citywide local density bonus should apply to projects that have received a zoning permit since Jan. 1, 2024 or another retroactive date as appropriate to help jumpstart stalled rental development projects.

## Committee Action Items

**Financial Implications:** See report

Contact: Rashi Kesarwani, Councilmember, District 1, (510) 981-7110

**Action:** 15 speakers. M/S/C (Bartlett/Lunaparra) to send the item to the City Council with a qualified positive recommendation and with the recommendation revised to read as follows:

*Refer to the City Manager to develop a citywide local density bonus modelled after the state density bonus that would incentivize new condominium development by allowing condo projects to take advantage of the same densities, bonuses, waivers, and concessions available under state density bonus law. Under the local density bonus, however, condo projects would be able to pay the current in-lieu affordable housing fee to the City's Housing Trust Fund for all units, rather than create on-site for-sale below-market-rate condo units—a requirement under state density bonus law that renders larger-scale condo development infeasible.*

*The fiscal and policy goals of this proposed citywide local density bonus are to help stalled rental residential projects in our downtown reach feasibility as condo projects, which will provide affordable housing in-lieu fee revenue, property tax revenue, serve as an economic force multiplier for our downtown, and provide much-needed ownership opportunities for young families seeking a starter home and aging residents seeking to downsize. Further, the local density bonus should apply citywide or downtown and provide language for at least two options for applicability:*

- 1. Projects that have vested prior to January 1, 2025 only; and*
- 2. All projects regardless of vesting date – and to consider a sunset date, or a progress report to help determine an appropriate sunset date.*

*The reason for providing these two options is so that Council may consider economic conditions and the number of stalled projects at the time that the ordinance is under consideration.*

*And further, to consider removing the exemption on the first 5,000 square feet for the affordable housing in-lieu fee.*

*Further, information from staff on whether it is financially feasible and operationally possible to provide Affordable Housing Trust funding to provide for below-market-rate condos on site.*

**Vote:** All Ayes.

## Unscheduled Items

*These items are not scheduled for discussion or action at this meeting. The Committee may schedule these items to the Action Calendar of a future Committee meeting.*

- None

## Items for Future Agendas

- None

## Adjournment

**Action:** M/S/C (Bartlett/Tregub) to adjourn the meeting.

**Vote:** All Ayes.

Adjourned at 12:11 p.m.

I hereby certify that the foregoing is a true and correct record of the Land Use, Housing & Economic Development Committee meeting held on March 2, 2026.

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Rose Thomsen, Deputy City Clerk

## Communications

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**Igor Tregub**, Councilmember District 4

**Ben Bartlett**, Councilmember District 3

**Terry Taplin**, Councilmember District 2

## CONSENT CALENDAR

June 9, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Councilmember Bartlett (Co-Sponsor), Councilmember Taplin (Co-Sponsor)

Subject: Adopt a Resolution in Support of California Senate Bill (SB) 1383 (Arreguín): Housing Development: Density Bonus: Labor Standards

### RECOMMENDATION

Adopt a Resolution in support of California Senate Bill (SB) 1383 (Arreguín), which would clarify that developers may not use concessions or incentives under California's Density Bonus Law to waive or reduce local labor standards relating to wages, apprenticeship requirements, healthcare benefits, or working conditions, and distribute copies to California Governor Gavin Newsom, Senator Jesse Arreguín, and Assemblymember Buffy Wicks to support its passage.

### CURRENT SITUATION AND ITS EFFECTS

California's Density Bonus Law (DBL) requires cities and counties to provide developers with increased density and regulatory concessions or incentives for qualifying housing projects that include specified percentages of affordable housing units. Local jurisdictions are generally required to approve these requests unless they demonstrate at least one of a narrow set of findings supported by substantial evidence that the concession or incentive either does not produce actual and identifiable cost reductions for affordable housing, would create a specific adverse impact on public health, safety, or protected historical property that cannot be feasibly mitigated without making the project unaffordable, or would violate state or federal law.<sup>1</sup> Courts have interpreted

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<sup>1</sup> Government Code Title 7, Division 1, Chapter 4.3, Section 65915 (d) (1)  
[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=65915&lawCode=GOV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65915&lawCode=GOV)

Density Bonus Law broadly in recent years, limiting the ability of local governments to deny requested concessions and establishing presumptions in favor of developers seeking regulatory relief.<sup>2</sup>

As a result of these statutes and interpretations, housing developers in Berkeley have sought to use DBL concessions to exempt projects from the City's local labor standards adopted through the "Helping Achieve Responsible Development with Healthcare and Apprenticeship Training Standards" (HARD HATS) Ordinance.<sup>3</sup> Effective January 1, 2024, the HARD HATS ordinance requires certain housing and commercial development projects to use apprenticeship programs and provide employer-sponsored healthcare benefits for construction workers in order to improve the recruitment, training, and retention of skilled workers. City leaders have viewed these standards as essential to supporting construction quality, workforce development, and equitable economic opportunity within Berkeley's rapidly growing housing sector.

In two instances, Berkeley developers requested DBL concessions specifically to avoid compliance with these labor protections. The Berkeley Zoning Adjustments Board (ZAB) approved Use Permit #ZP 2024-0162 on 10/9/2025 and Use Permit #ZP2024-0182 on 11/13/2025. Both Use Permits were appealed by Weinberg, Roger & Rosenfeld on behalf of the Building and Construction Trades Council of Alameda County, AFL-CIO and the Northern California Carpenters Regional Council on 10/28/2025 and 12/1/2025, respectively. The City Council denied the appeals and affirmed the ZAB decisions on 2/23/2026 in part or in whole because the City's authority to deny such concessions is significantly limited.<sup>4</sup>

Labor organizations have raised concerns that DBL has been interpreted in ways that extend beyond its intended purpose and undermines worker protections adopted through local democratic processes. SB 1383 would clarify that local labor standards remain enforceable for projects receiving DBL benefits, preserving local authority to establish minimum labor protections within the broader affordable housing framework. Supporters of SB 1383 argue that preserving labor standards supports long-term economic stability, worker safety, and construction quality. They also note that construction workers disproportionately rely on public assistance programs when wages and benefits are inadequate, creating broader fiscal impacts for the state.

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<sup>2</sup> <https://www.hklaw.com/en/insights/publications/2022/06/california-courts-of-appeal-strengthen-density-bonus-law>

<sup>3</sup> <https://berkeley.municipal.codes/BMC/13.107.010>

<sup>4</sup> <https://berkeleyca.gov/sites/default/files/city-council-meetings/2026-02-23%20Special%20Annotated%20Agenda%20-%20Council.pdf>

As of April 29, 2026, no formal opposition to SB 1383 has been submitted. Supporters include the State Building & Construction Trades Council of California (Co-source); Western States Council of Sheet Metal Workers (Co-source); California Federation of Labor Unions, AFL-CIO; California Safety and Legislative Board, Smart – Transportation Division; California State Association of Electrical Workers; California State Pipe Trades Council; Construction Trades Workforce Initiative; District Council 16, International Union of Painters and Allied Trades; and Western States Council Sheet Metal, Air, Rail and Transportation.

### FINANCIAL IMPLICATIONS

Minimal staff time associated with outreach to the recipients.

### ENVIRONMENTAL SUSTAINABILITY

The City of Berkeley supports both affordable housing production and sustainable economic development. Ensuring a stable, well-trained construction workforce promotes high-quality infill development and long-term building performance. Supporting apprenticeship programs also advances workforce development pathways in the clean construction and green building sectors necessary to achieve California’s climate goals.

### CONTACT PERSON

Councilmember Igor Tregub, 510-981-7140, [itregub@berkeleyca.gov](mailto:itregub@berkeleyca.gov)

Amy Johnson, Legislative Aide, [amjohnson@berkeleyca.gov](mailto:amjohnson@berkeleyca.gov)

### ATTACHMENTS

1. Resolution
2. Fact Sheet

**RESOLUTION NO. ##,###N.S.**

**RESOLUTION IN SUPPORT OF CALIFORNIA SENATE BILL 1383 (ARREGUÍN)  
RELATING TO DENSITY BONUS LAW AND LOCAL LABOR STANDARDS**

**WHEREAS**, Senate Bill (SB) 1383, which proposes to amend Section 65915 of the Government Code, was introduced to the State Legislature for consideration on February 20, 2026, and most recently amended on March 23, 2026; and

**WHEREAS**, California's Density Bonus Law was enacted to encourage affordable housing production by allowing developers to leverage density increases and regulatory concessions for qualifying housing developments containing affordable units; and

**WHEREAS**, in 2023, the City of Berkeley adopted the "Helping Achieve Responsible Development with Healthcare and Apprenticeship Training Standards" (HARD HATS) Ordinance to improve the recruitment, training, retention, safety, and economic stability of skilled construction workers through apprenticeship and healthcare requirements on qualifying development projects; and

**WHEREAS**, housing development projects in Berkeley have sought exemptions from these labor standards through Density Bonus Law concessions, and the City's ability to deny such requests has been constrained by existing state law and interpretations; and

**WHEREAS**, the City of Berkeley supports policies that advance affordable housing production together with fair labor standards, economic justice, and responsible development practices and SB 1383 seeks to preserve local labor protections while continuing to support affordable housing production throughout California; and

**WHEREAS**, SB 1383, if passed, will clarify that developers may not use concessions or incentives under California's Density Bonus Law to waive or reduce local labor standards relating to wages, apprenticeship requirements, healthcare benefits, or working conditions; and

**NOW, THEREFORE, BE IT RESOLVED** that the Berkeley City Council hereby registers its strong support to Senate Bill 1383; and

**BE IT FURTHER RESOLVED** that a copy of this resolution will be sent to Governor Gavin Newsom, Senator Jesse Arreguín, and Assemblymember Buffy Wicks; and

**BE IT FURTHER RESOLVED** that the City of Berkeley reaffirms its commitment to both affordable housing production and strong labor protections that support safe working conditions, workforce development, construction quality, and equitable economic opportunities.



CALIFORNIA STATE SENATOR

**Jesse Arreguín**

REPRESENTING SENATE DISTRICT 07

## SB 1383 – Housing development: density bonus: labor standards.

### SUMMARY

SB 1383 (Arreguín) clarifies California’s Density Bonus Law to ensure that essential construction labor standards cannot be waived when seeking concessions or incentives. The bill protects construction workers while maintaining the law’s goal of promoting affordable housing development.

### BACKGROUND

California’s Density Bonus Law was established to incentivize the development of affordable housing by allowing developers to receive concessions such as increased density, reduced parking requirements, or other regulatory relief. The intent of the law is to balance increased housing production with responsible development practices. However, recent cases have demonstrated that developers have attempted to use these concessions to bypass critical labor protections.

These labor standards, including prevailing wage laws, apprenticeship requirements, and employer-sponsored health care, are foundational to ensuring a skilled, safe, and fairly compensated construction workforce.

### PROBLEM

Recent misuse of the Density Bonus Law has allowed developers to request waivers from core local labor protections under the guise of regulatory concessions.

For example, in Berkeley, developers sought exemptions from prevailing wage requirements, apprenticeship standards, and health care protections. This creates several serious issues, including undermining worker safety and economic security, weakening workforce training pipelines, creating unfair competition by undercutting responsible contractors, and misinterpreting the original intent of the Density Bonus Law. Allowing these waivers ultimately

threatens the stability of California’s construction workforce and the quality of housing development.

### SOLUTION

SB 1383 restores the original intent of the Density Bonus Law by clarifying that concessions and incentives cannot include the waiver of essential labor standards. The bill preserves key labor standards that support fair compensation, workforce development, and essential protections for workers in the construction industry.

In doing so, SB 1383 prevents the misuse of density bonus concessions to erode critical worker protections and ensures that housing development can continue without compromising the safety, training, and economic security of the workforce responsible for building it.

### CONTACT

Luis Amezcua  
(916) 651-4007  
[Luis.Amezcua@sen.ca.gov](mailto:Luis.Amezcua@sen.ca.gov)

### SUPPORT

(Co-Sponsors)  
State Building and Construction Trades Council  
Western States Council of Sheet Metal Workers

