

REPORT
FROM



THE PERSONNEL
DEPARTMENT

TO: City Council	DATE 2/3/2023
REFERENCE: COVID-19 and City Employee Parking	COUNCIL FILE

SUBJECT: **Proposed Letter of Agreement Modifying the Special Memorandum of Understanding on Commute Options and Parking – City Employee Parking and Temporary Suspension of Parking Fees**

RECOMMENDATION:

That the City Council approve a proposed Letter of Agreement (LOA) modifying the Special Memorandum of Understanding on Commute Options and Parking, providing terms and conditions for temporarily suspending employee parking fees for eight pay periods.

BACKGROUND:

The City offers a variety of transportation benefits to eligible employees through what the Personnel Department has branded the COMMUTEwell Program. Transportation benefits include ridesharing programs as well as City-sponsored parking. Transportation benefits are established within the City's Special Memorandum of Understanding on Commute Options and Parking ("Special Parking MOU") and overseen by the City's Joint Labor-Management Committee on Commute Options and Parking (JLMC-COP). The JLMC-COP includes four management member representatives – the Personnel Department, General Services Department (GSD), City Administrative Officer (CAO), and Department of Transportation (DOT) and four employee organization representatives – the American Federation of State, County and Municipal Employees (AFSCME), Laborers' International Union of North America (LIUNA 777), Los Angeles Police Command Officers Association (LAPCOA), and Service Employees International Union, Local 721 (SEIU 721).

The City's civilian and sworn Police/Fire employees are eligible for the COMMUTEwell Program (excluding employees of the Los Angeles World Airports (LAWA), Harbor Department, and Department of Water and Power (DWP), each of which offers their own transportation benefit programs). The Personnel Department's Employee Benefits Division/Commute Options and Parking Section ("Employee Benefits") administers the COMMUTEwell Program. Employee Benefits has the ongoing responsibility of administering and promoting greater utilization of the City's existing ridesharing benefits as well as administering parking benefits.

(A) City Employee Parking Overview

Eligible employees may receive parking at various City-owned or leased parking facilities on a space-available basis according to parking priorities established in the Special Parking MOU. Currently, Employee Benefits issues permits, keycards, and keycard approvals for 22 lots. In total, approximately 4,700 permits have been issued at these various parking facilities.

(B) Impact of COVID-19 on City Employee Parking and Transit

On May 26, 2021, the City Council ratified an LOA adopted by the JLMC-COP implementing a six pay period fee suspension, which waived biweekly parking deductions from pay period ending June 19, 2021 through pay period ending September 11, 2021 (Council File 21-0014). The fee suspension was recommended due the following considerations:

(1) Temporary Parking Policy

On March 12, 2020, in response to the COVID-19 pandemic, Los Angeles Mayor Garcetti issued Citywide COVID-19 guidelines to protect the City workforce while ensuring continuity of operations. These guidelines included directing General Managers of City departments to develop emergency COVID-19 telecommuting plans for their workforce and for employees to implement social distancing of six feet per person. Consequently, to maintain continuity of City department operations, on March 18, 2020, GSD implemented a temporary parking policy allowing City employees to park at the City Hall East garage without parking permits. The policy was subsequently extended to the Figueroa Plaza, Piper Tech, and Marvin Braude Building garages. As of January 2, 2023, the policy is only in effect at the City Hall East and Figueroa Plaza locations. This program is administered on a first come, first served basis. GSD monitors all parking levels daily to ensure there are spaces to accommodate employees with permits. Occupancy varies daily based on employees telecommuting, and departments' staffing in response to COVID-19.

(2) Telecommuting and Employee Parking Payroll Deductions

In accordance with the Special Parking MOU that establishes parking permit priorities and authorizes the issuance of such permits under certain conditions, City employees with parking permits pay a parking fee that is deducted from their paycheck on a biweekly basis. Since the start of the pandemic, many City employees are currently telecommuting full-time or on a hybrid basis but continue to have a parking fee deducted from their paycheck.

Due to GSD's temporary parking policy allowing City employees to park at City parking facilities at no cost during the period of the Safer at Home Emergency Order, many City employees who currently have a biweekly parking payroll deduction have raised concerns regarding paying for parking they are currently not using and which is currently being provided to others at no cost. Many of these employees have requested that parking payroll deductions be suspended or that a refund be issued for parking fees that were paid while telecommuting.

(3) Decreased transit incentive utilization

Employee parking fees are deposited into the Ridesharing Trust Fund (Fund), which is exclusively used to fund the City's programs to encourage employees' use of ridesharing or public transit alternatives to single-occupancy driving to work. Employee use of these incentive programs significantly declined during the pandemic, allowing the Fund to sustain decreased parking fee revenue for a short period of time.

After the first parking fee suspension, the JLMC-COP took an additional step of executing an LOA, ratified by the City Council (Council File 22-0238) to increase the monthly transit incentive from \$50 to \$100 for one-year period. Since the increase was implemented on July 1, 2022, there has been a modest increase in transit utilization, but utilization is still far below pre-pandemic levels.

(C) JLMC-COP Findings and Proposed Special Parking MOU Action

Parking permits and monthly parking fees are issued in accordance with the provisions of the Special Parking MOU. There is no provision in the Special Parking MOU providing the ability to temporarily stop or refund City employees for not using their parking permits due to an emergency situation such as that posed by the COVID-19 pandemic. However, the unusual circumstances created by the prolonged emergency response to COVID-19 suggest that interim options be exercised.

After reviewing the current status of the Fund and assessing the projected revenue and expenditures, the JLMC-COP determined that the Fund could sustain the cost of a second parking fee suspension for eight pay periods. The JLMC-COP also determined that doing so would be responsive to employee concerns about the fairness of continuing to pay for parking permits while some employees are able to park for free. Based on these findings, the JLMC-COP approved a proposed LOA (**Attachment A**) providing terms and conditions for temporarily suspending employee parking fees for eight pay periods. The LOA provides for the following key provisions:

- (1) Suspension of parking fees for parking deduction payroll codes for eight consecutive pay periods (not including no-deduction paychecks) beginning as soon as administratively practical.
- (2) Review of the status of the parking fee suspension by the JLMC-COP within approximately sixty days from the effective start date of the suspension.
- (3) An option to extend the parking fee suspension for an additional period of time upon further action by the JLMC-COP.

(D) CONCLUSION

As the City looks toward the prevalence of COVID-19 cases diminishing, long-term changes to the ways employees commute may still endure. Employee Benefits staff in partnership with the JLMC-COP are considering the ways those changes should influence the City's parking and transit offers. Changes to the City's parking and transit programs, if any, will be effectuated through revisions to the Special Parking MOU, which would be ratified by the City Council. While the JLMC-COP evaluates long-term responses to the changing commuter landscape, interim measures like the one described in this report help to provide relief to employees in the near-term. Accordingly, the JLMC-COP recommends that the City Council approve the proposed LOA modifying the Special Memorandum of Understanding on Commute Options and Parking, providing terms and conditions for temporarily suspending employee parking fees for eight pay periods.

Charles Leone

Charles Leone (Jan 31, 2023 20:57 PST)

Jay Kim

Jay Kim (Feb 1, 2023 08:38 PST)

CHARLES LEONE, CHAIRPERSON

JAY KIM, VICE CHAIRPERSON

JOINT LABOR-MANAGEMENT COMMITTEE – COMMUTE OPTIONS & PARKING (JLMC-COP)

**JOINT LABOR-MANAGEMENT COMMITTEE ON COMMUTE OPTIONS AND PARKING
LETTER OF AGREEMENT**

Employee Parking

This Letter of Agreement (LOA) is entered into between the City of Los Angeles (City) management and employee organization representatives of the City's Joint Labor-Management Committee on Commute Options and Parking (JLMC-COP).

WHEREAS, in accordance with the Special Memorandum of Understanding Regarding City Employee Parking and Commute Options ("Special Parking MOU"), Article 5, City employees with parking permits pay a parking fee that is deducted from their paycheck on a biweekly basis;

WHEREAS, to support COVID-19 safety measures, many City employees are currently teleworking and not utilizing their parking permits but continue to have parking fees deducted from their paychecks; WHEREAS, to maintain continuity of City department operations, and in recognition of increased parking capacity created by increased City employee teleworking, on March 18, 2020, the Department of General Services (GSD) implemented a temporary parking policy allowing City employees to park at many City parking facilities at no cost;

WHEREAS, the emergency response to COVID-19 and unusual conditions creating increased prevalence of telecommuting continue to be in effect; and

WHEREAS, a temporary suspension of parking fees will support greater equity for employee parking for a portion of the time under which the unusual conditions related to COVID-19 continue to be in effect;

NOW THEREFORE, the undersign parties agree to the following provisions:

1. The JLMC-COP agrees to suspend employee parking fee deductions, as outlined in Special MOU Article 5, for eight consecutive pay periods (excluding no-deduction pay periods), beginning as soon as administratively practical upon ratification of the LOA, resulting in an effective zero cost of parking being applied to the employee's paycheck for those six pay periods. The suspension of parking fee deductions will not otherwise affect an employee's parking permit privileges during the period of the suspension.
2. The JLMC-COP agrees that, after approximately 60 days from the effective starting date of the parking fee suspension, the status of employee parking (including a review of whether more employees are returning to City offices and increasing demand on available spaces), and the further impact of suspending parking fees on the City's Ridesharing Trust Fund, will be assessed by the JLMC-COP.
3. The JLMC-COP agrees it may extend, modify, or terminate the parking fee suspension by revising this LOA.

For Employee Organization Members:



American Federation of State,
County, and Municipal Employees



Charles Leone (Dec 27, 2022 09:55 PST)

Service Employees International Union



Commander Billy Brockway (Jan 15, 2023 15:22 PST)

Los Angeles Police
Command Officers Association



Esteban Lizardo (Dec 22, 2022 10:15 PST)

Laborers' International Union of North America



Charley Mims (Dec 24, 2022 14:21 PST)

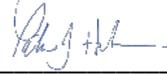
Los Angeles Professional Managers' Association

For Management Members:



PDayes (Dec 22, 2022 09:39 PST)

Personnel Department



City Administrative Office



Valerie Melloff (Dec 22, 2022 14:19 PST)

General Services Department



Jay Kim (Dec 22, 2022 13:17 PST)

Department of Transportation

Approved:



Charles Hong (Dec 22, 2022 10:13 PST)

City Attorney's Office