



COMMUTEwell

Options. Value. Convenience.

Joint Labor-Management Committee Commute Options & Parking **COMMITTEE REPORT 23-07**

Date: November 16, 2023
To: JLMC-COP
From: Staff
Subject: Successor Special MOU

JLMC-COP Members	
Employee Organization Primary Members	
Charles Leone, SEIU, Chair	
Leticia Gonzalez, AFSCME, Second Prov. Chair	
Billy Brockway, LAPCOA	
Esteban Lizardo, LIUNA	
Management	
Jay Kim, LADOT, Vice-Chair	
Patricia Huber, CAO, First Prov. Chair	
Paula Dayes, Personnel	
Emily Mayeda, GSD	
Employee Organization Secondary Members	
Charley M. Mims, LAPMA	

RECOMMENDATION:

That the JLMC-COP adopt the attached Special Memorandum of Understanding Regarding City Employee Parking and Commute Options, subject to ratification by the City Council.

DISCUSSION:

At its meeting on February 23, 2022, the Joint Labor-Management Committee on Commute Options and Parking (JLMC-COP) established a Special MOU Ad Hoc Subcommittee (Subcommittee) to consider transit benefit enhancements and related changes to the Special Memorandum of Understanding Regarding City Employee Parking and Commute Options (Special MOU) which was entered into in 2005 and last amended in 2008. The Subcommittee was composed of Employee Organization members Charles Leone and Charley M Mims, and Management members Paula Dayes and Emily Mayeda (who was also supported by her alternate, Lisa Gabriel).

The Subcommittee was tasked with discussing and exploring alternative benefit options, including those presented by its consultants at Steer Davies & Gleave, Inc. (Steer), with an objective of proposing changes that may best address current commuting behavior and that may provide enhancements to benefits, where applicable, which better meet the current needs of employees. The benefit options for discussion included the following topics:

- (a) **Parking Preferences, Eligibility, and Prioritization** - This included a review of the prioritization of parking for the eligible sub-populations of employees included in the Special Parking MOU, drawing in consultant-provided best practice research from other comparable organizations while addressing the City's unique organizational constructs.

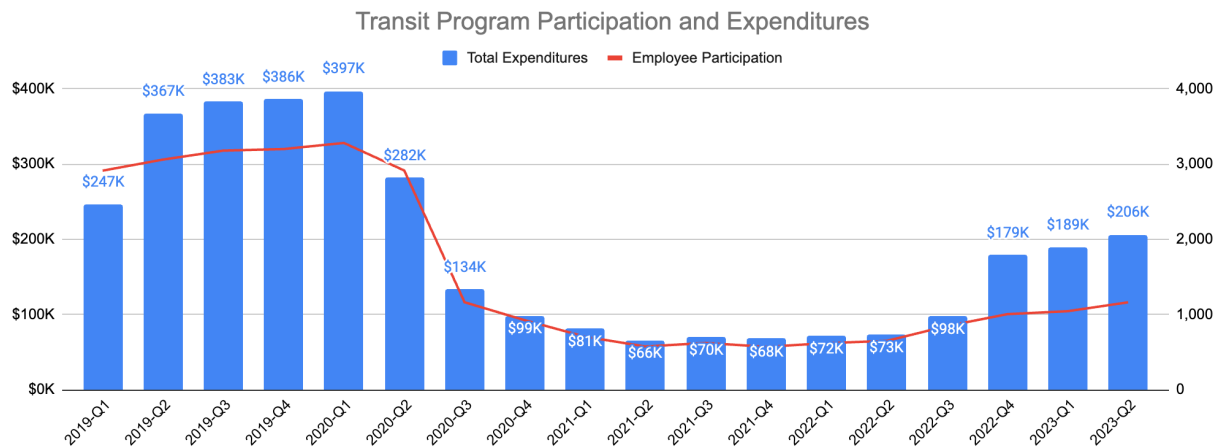
- (b) **Optimizing Efficiency in Allocation of Parking Resources** - This includes a review of how parking access is integrated with existing parking resources and how to optimize efficiency in how parking resources are utilized, specifically with respect to (a) identifying opportunities and options for expanding the use of shared parking spaces and/or (b) integrating greater utilization of a daily parking benefit model. Both of these serve to maximize the efficiency of available parking resources but will need to take into consideration how that benefit construction can fit into the legacy design of parking permit allocation and distribution. This review and resulting policy proposals will further the need to address variation within the City’s existing parking facilities and available parking technology resources. Finally, this review will incorporate best practice research from other comparable organizations while addressing the City’s unique organizational constructs.
- (c) **Ridesharing Incentives** – This includes a review of optimal plan design features for offering employer-based ridesharing incentives, specifically addressing some of the complexities raised by aligning the City’s incentives with the broad range of regional transportation authorities and resources, and creating greater flexibility for employees in utilizing a variety of transportation modes, media, and combined incentives for their commuting needs. This review would also incorporate best practice research from other comparable organizations while addressing the City’s unique organizational constructs.

After formation in early 2022, the Subcommittee met on numerous occasions to discuss and explore various benefit options. After significant deliberation, the Subcommittee drafted a series of provision changes to the existing Special MOU which address their objectives. The Subcommittee presents the attached successor Special MOU (Successor Special MOU) included in this report as **Attachment A** to the committee for its consideration and approval. The attachment provides a track-changed (“redline”) version of the Subcommittee’s proposed changes. In addition, this report presents an overview of the most significant changes proposed in the Successor Special MOU.

Proposed Changes

1. _____ \$100 Transit Incentive

The Successor Special MOU *permanently* increases the monthly transit incentive from \$50 to \$100. Since the increased transit incentive was implemented in July 2022, approximately more than half of all transit program participants took advantage of the increased benefit. Transit expenses have risen considerably since the \$50 incentive amount was adopted over 20 years ago, and the increased incentive eases some of the financial burden associated with commuting. Prior to the pandemic, approximately 3,000 employees participated in transit programs each quarter. Participation fell sharply during the pandemic but has steadily increased to approximately 1,200 per quarter at present.



2. Bike/Walk Incentive Expansion

The Special MOU provides a \$50 monthly incentive (temporarily increased to \$100 by JLMC-COP action) for employees who bike or walk to work. However, the bicyclist/walker incentive program is only available at City work sites regulated by the Air Quality Management District (AQMD). The Successor Special MOU expands the program to all work sites. The Successor Special MOU also provides a more flexible incentive structure by providing a \$5 daily benefit with a maximum of \$100 per month. This restructuring better aligns with hybrid telecommute work schedules.

3. Incentives for Part-Time Intermittent Employees

Commuter benefits are currently only available to otherwise-eligible employees, generally meaning those who contribute to LACERS or LAFPP. This means that part-time intermittent employees are not eligible for parking or transit benefits described in the Special MOU. The Successor Special MOU makes all part-time employees eligible for transit incentives via the Transit Reimbursement Program and expands eligibility to the bike/walk-to-work program.

4. Transit Subsidy Reimbursement for Parking Permit Holders

The Special MOU does not allow parking permit holders to concurrently receive a Transit Subsidy Reimbursement for public transit expenses. The Successor Special MOU removes this restriction in order to encourage employees to try alternative commute options.

5. Increased Parking Fees

All benefits described in the Special Parking MOU are funded solely by the revenue collected from employee parking fees. The substantially expanded incentives and

benefits conferred within the Successor Special MOU can be funded by modest increases in parking fees. The most expensive permit type—an Individual Permit for the Downtown Los Angeles area—would increase from \$46 per month to \$55 per month. All other permit types would have a proportional increase. All permits would remain subject to the City’s parking tax. This fee increase would not take effect until January 1, 2025, well after the adoption of the MOU and the accompanying improved commuter benefits. Further, the proposed fees would still be substantially less than the cost of parking in the open market.

6. Sunset of Special Electric Vehicle Incentives

At least 20+ years ago the City began offering two distinct benefits to incentivize the purchase of electric vehicles: higher waitlist prioritization and \$0 parking permit fees. In the intervening years, electric vehicle adoption has increased precipitously. There are currently 507 active EV permits, and of those, 298—more than half—were issued in 2023. Although EVs are still not the dominant vehicles on roads, the City has very limited employee parking capacity, and because EVs are prioritized over seniority parking, increased adoption of EVs among City employees has noticeably and adversely impacted employees waiting on the seniority waitlists. Employees in such situations have expressed concerns about the unfairness of being subject to longer waits because they do not have the means to purchase a new vehicle just for parking. The no-cost permits also reduce the revenue available to fund public transit and rideshare programs. If the Successor Special MOU is adopted and ratified, employees currently holding EV permits will be allowed to keep their permits, but they will be converted to a regular permit type.

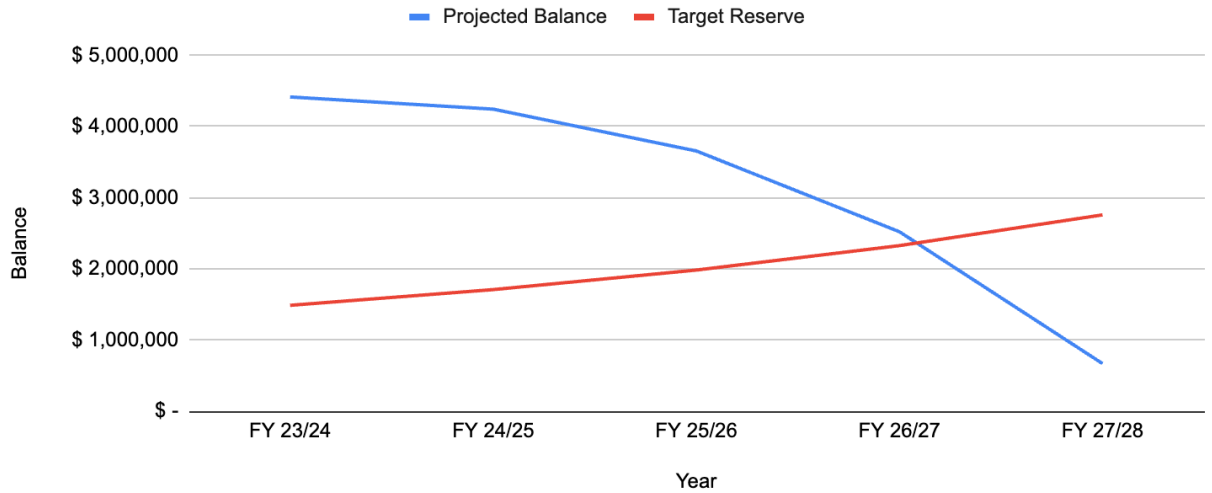
7. Authority to Initiate Trial Commute Programs

The Successor Special MOU provides the JLMC-COP with the authority to administer commuter pilot programs that offer employees greater commute flexibility. The intention of this program is to test alternative benefit models that better accommodate flexible work schedules (such as hybrid telecommuting) and remove barriers to the use of public transportation.

8. Health of the Rideshare Trust Fund

Because all commuter benefits are solely funded by the Rideshare Trust Fund, and the Trust Fund only receives revenue from parking and vanpool fees, the Subcommittee sought to ensure the ongoing health and sustainability of the fund. In considering benefit design changes, staff provided the Subcommittee with Trust Fund projections that took into account current program utilization levels, measurable changes in employee patterns, and benefit design decisions. Staff and the Subcommittee agreed to create a target minimum fund balance of 50% of the fund’s annual expenses and

projected that the changes incorporated into the Successor Special MOU would maintain the fund balance above the target threshold during the three-year term of the Successor MOU (see chart below). Additionally, the Successor Special MOU creates a new requirement that staff bring to the JLMC-COP annual reports about the health of the Fund to assist the committee in considering changes to commuter benefit design.



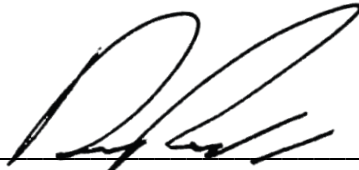
The Successor Special MOU proposes a broad array of incremental improvements across all programs within the JLMC-COP’s purview. The MOU broadens the pool of eligible employees, increases benefits for each program, and provides pathways for ongoing future enhancements during the term of this MOU. Notably, it does this while maintaining parking fees that are significantly below market rate.

Next Steps

Staff recommends that the JLMC-COP adopt the attached Special Memorandum of Understanding Regarding City Employee Parking and Commute Options (Successor Special MOU).

Upon approval by the JLMC-COP, the Successor Special MOU would be submitted to the Los Angeles City Council for approval/ratification. Once ratified by the Los Angeles City Council, the provisions of the Successor Special MOU would be enforced and implemented by staff.

Submitted by:



Daniel Powell, Senior Personnel Analyst II

Approved by:



Paul Makowski, Chief Management Analyst

**SPECIAL MEMORANDUM OF UNDERSTANDING REGARDING
CITY EMPLOYEE PARKING AND COMMUTE OPTIONS**

**THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") made
and entered into this 16th day of November, 2024.**

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BY AND BETWEEN

**The City of Los Angeles represented herein by the CITY ADMINISTRATIVE
OFFICER (hereinafter "City")**

AND

CITY EMPLOYEE QUALIFIED ORGANIZATIONS

- American Federation of State, County and Municipal Employees
- Los Angeles City Attorneys Association
- Service Employee International Union Local 347
- Los Angeles County Building & Construction Trades Council
- Los Angeles City Supervisors and Superintendents Association/LIUNA Local 777
- Los Angeles Professional Managers Association
- Local 501, Operating Engineers
- Municipal Construction Inspectors Association
- United Firefighters of Los Angeles City
- Los Angeles City Fire Department Chief Officers Association
- Los Angeles Police Command Officers Association

**SPECIAL MEMORANDUM OF UNDERSTANDING REGARDING
CITY EMPLOYEE PARKING AND COMMUTE OPTIONS**

ARTICLE 1 SCOPE AND SUBJECT OF AGREEMENT

The Los Angeles Administrative Code, Section 5.344, codifies the establishment of the City Employees Ridesharing Fund (Fund) whereby:

1. All monies received by the City in each fiscal year from City employees for parking privileges shall be deposited in the Fund. Other monies to be deposited in this Fund shall include all monies collected from City employees for fares in City operated vanpools and for approved personal use of vanpool vehicles; and monies secured from grants or other rideshare incentive programs;

2. All monies deposited in the Fund shall be used to pay for costs, exclusive of salaries, incurred in the City employees ridesharing program, to provide for ridesharing enhancements that reduce City employee private vehicle usage in commuting to and from work; and

3. The Fund shall be administered and expenditures shall be authorized by the General Manager of the Personnel Department in accordance with established City practice, provided, however, that no expenditure shall be made from the Fund for any purpose which is contrary to the budget policy of the Personnel Department, as established by the Mayor and City Council with respect to the Fund.

In support of the City's stated goal to reduce traffic congestion, encourage City employee ridesharing and other means of commute trip reduction, and improve the quality of life, the parties agree to the terms and conditions of this Memorandum of Understanding.

ARTICLE 2 PARTIES TO THE AGREEMENT

This Memorandum of Understanding (MOU) is entered into on [redacted] by the Joint Labor-Management Committee on Commute Options and Parking (JLMC-COP), which is comprised of management representatives of the City of Los Angeles (Management) and employee organizations (Employee Organizations). Both Management and Employee Organization represented on the JLMC-COP, are authorized to enter into this agreement on behalf of all eligible employees.

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ARTICLE 3 FULL UNDERSTANDING

Management and the Organizations acknowledge that this MOU constitutes the full and entire understanding of the parties regarding the issues of employee parking and commute options. The parties mutually understand that any prior or existing understandings or agreements by the parties, whether formal or informal, are hereby modified or superseded.

ARTICLE 4 ELIGIBILITY

Except where explicitly provided to intermittent employees, employees eligible for the benefits described in this MOU are those who are contributing members of LACERS or LAFPP, or are elected City Officials. Eligibility may be extended to additional employee populations at the discretion of the JLMC-COP.

City employees employed by the Department of Water and Power, Harbor Department and the Airports Department are excluded from the terms of this MOU on the basis that those departments offer their own parking and transit benefit programs.

ARTICLE 5 PARKING PERMIT PRIORITIES AND CONDITIONS

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A. City-Owned Parking and Leased Parking Spaces

Parking shall be provided for vehicles for the following categories:

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- Elected Officials
- Disabled Employees
- City Fleet and Home-Garaged Vehicles
- Mileage Vehicles

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Parking shall be provided, on a space-available basis, for the following, in stated order:

1. Mayor and City Council Staff
2. Upper Management
3. Vanpools
4. Carpools
5. Seniority

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B. Definitions and Limitations

1. **DISABLED.** "Disabled" parking permits will be issued only to those assigned a Department of Motor Vehicles Disabled Certification, and only for the duration of applicability for said Placard. Disabled permittees may park in either designated disabled spaces or other available spaces.

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2. **MILEAGE VEHICLES.** For employees driving personal vehicles on City-business and who cannot reasonably use City fleet vehicles or shuttle buses to accomplish their tasks, or are identified by the requirements of their assigned positions, departments may submit requests to the Personnel Department's Employee Benefits Division (EBD) for the issuance of a mileage permit. Employees shall pay the Individual Parking Fee rate. Departments shall reimburse such employees for said parking fees. Reimbursement of parking permit fees is not intended for employees who infrequently or only occasionally use their personal vehicles for City business and receive mileage reimbursement. Additionally, the inclusion of an employee's name on a Mileage Authority List does not make the employee eligible for reimbursement of parking permit fees unless the above-described criteria are met. Parking for Mileage Vehicles shall be in designated lots only.

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Deleted: for exceptions to these parameters, on a case-by-case basis, to the Commuter Services Office of the Personnel Department.
Deleted: who accumulate an average of less than 200 miles per month for City business but are mandated by their Departments to be on a "Mileage" status, and who use City-owned or leased facilities where parking fees are charged,

3. **UPPER MANAGEMENT.** Shall be defined as employees whose classification starting salary equals that of the starting salary of Senior Management Analyst II or above.

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The Personnel Department shall consult with the City Administrative Office Employee Relations Division to evaluate additional classifications that may be considered Upper Management for the purpose of this MOU.

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4. **VANPOOLS.** City-administered vehicles or City-subsidized vanpools (if applicable) with seating capacities of 7 to 12 passengers, including the driver. All vanpools shall be under the control of the EBD. Parking for Vanpools shall be in designated stalls or lots only.

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5. **CARPOOLS.** A carpool means a vehicle:

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- a. with two or more City employees, originating from the same general geographic area, or along a logical travel-to-work corridor,
- b. whose destinations are at or near the same work location, and
- c. who travel together a minimum of 50% of the trip. (Said percentage limitation may be waived by the EBD on a case-by-case basis for reasonable causes.

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Parking for Carpools shall be in designated lots only.

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6. **SENIORITY.** Parking permits for employees who do not qualify for other

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categories shall be based on continuous service to the City. If an employee has had a break in service, the most recent hire date shall prevail. Service with the Department of Water and Power shall be included in continuous service calculations, provided that there was no "break in service." The EBD may issue a number of permits in excess of the capacity of a given lot in order to maximize usage of the lot. If this practice results in capacity constraints at a given parking location, the EBD may rescind permits in reverse order of seniority.

- DOWNTOWN.** The geographic area generally bordered by Cesar Chavez/Sunset Boulevard to the north, the Los Angeles River to the east, the Santa Monica Freeway to the south, and Union Avenue to the west, and inclusive of the Chinatown area.

ARTICLE 6 MONTHLY PARKING PERMIT FEES

Parking fees shall be deducted from employees' paychecks on a pre-tax basis. All parking permit fees are subject to the City's 10% parking tax. Electric vehicles are subject to the rates described in this article.

Monthly Rates for Downtown Los Angeles Parking

<u>Permit Type</u>	<u>Rate as of MOU Effective</u>	<u>Rate one year after MOU adoption</u>
<u>Individual Permit</u>	<u>\$46.00</u>	<u>\$55.00</u>
<u>Carpool Permit^(a)</u>	<u>\$34.50</u>	<u>\$40.00</u>
<u>Personal Motorcycle Permit</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Night Permit</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Weekend Permit – Saturday and Sunday only</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Platoon Duty Permit – Fire Department only^(b)</u>	<u>\$15.33</u>	<u>\$18.00</u>
<u>Rotating Shift (24-Hour) Permit</u>	<u>\$28.75</u>	<u>\$35.00</u>

Monthly Rates for Parking Outside Downtown Los Angeles

<u>Permit Type</u>	<u>Rate as of MOU Effective</u>	<u>Rate one year after MOU adoption</u>
<u>Individual Permit</u>	<u>\$27.25</u>	<u>\$32.00</u>

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Deleted: The parking permit fees listed herein shall be effective the first pay period following [redacted] unless otherwise noted. Said

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 ↑ Individual Permit – Lots Immediately Adjacent to City Offices or Covered Lots → \$46.00
 ↑ Individual Permit – Piper Technical Center → \$34.50 Effective July 1, 2006 → \$39.50
 Effective January 1, 2007 → \$46.00
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<u>Carpool Permit^(a)</u>	<u>\$17.25</u>	<u>\$20.00</u>
<u>Personal Motorcycle Permit</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Night Permit</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Weekend Permit – Saturday and Sunday only</u>	<u>\$11.50</u>	<u>\$14.00</u>
<u>Platoon Duty Permit – Fire Department only^(b)</u>	<u>\$5.75</u>	<u>\$7.00</u>

Citywide Monthly Rates for Home-Garaged Vehicles

<u>Permit Type</u>	<u>Rate as of MOU Effective</u>	<u>Rate one year after MOU adoption</u>
<u>Home-Garaged Vehicle Permit^(c)</u>	<u>\$46.00</u>	<u>\$55.00</u>

Notes

- (a) Stated fee is pro-rated by the number of carpool members.
- (b) Available to Fire Department personnel only who are assigned to Platoon Duty, resulting in parking at the work site no more than ten (10) days a month.
- (c) Applies to all regularly assigned "take-home" or "home-garaged" vehicles throughout the City.

ARTICLE 7. PUBLIC TRANSIT AND BIKE/WALK TO WORK PROGRAM

A. Public Transportation Incentive

Employees using public transportation shall receive an incentive of up to a maximum of one hundred dollars (\$100) per month, commencing with transit expenses incurred after _____. Employees may receive this incentive as either a Transit Match to their Transit Spending Account contribution, or as a Transit Reimbursement after the transit expense is incurred using an employee's non-TSA dollars.

The Public Transportation incentive is also available to intermittent (as-needed) employees, but only through the Transit Reimbursement process.

B. Bicyclists/Walkers Incentive

Employees who ride a bicycle, or walk from their home to their City work sites may receive an incentive of \$5 per day with a maximum of \$100 per month if at least 51% of their commute miles ("commute miles" means the number of miles between the employee's home address on record and their assigned work location) are done by bicycle or walking.

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Employees receiving this incentive must relinquish any authorized parking permit issued under the terms of this MOU.

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ARTICLE 8. LIMITATION OF BENEFITS

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City employees may concurrently utilize one parking/vanpool benefit (as described in Article 5) and the Transit Reimbursement described in Article 6, A. City employees receiving this bicycle/walk to work incentive may not receive any other transportation benefits concurrently.

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ARTICLE 8 TERM

A. The term of this MOU shall be for the (three years). The JLMC-COP shall be authorized to extend the provisions of this MOU beyond this expiration date of this MOU without Council action. The parties agree to reopen this MOU to add or modify the provisions herein to comply with any AQMD requirements or mandates. Notwithstanding the above, the provisions of this MOU shall remain in effect until a successor MOU is adopted.

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B. Prior to the adoption of a successor MOU, COMMUTEwell Program staff will bring to the JLMC-COP information about regional transportation and parking costs to aid in the establishment of parking fee schedules and transportation incentive amounts.

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ARTICLE 9 ROTATING SHIFT (24-HOUR) PERMIT

The Joint Labor-Management Committee on Commute Options and Parking shall be authorized to grant a "Rotating Shift Permit" to employees who regularly rotate between day (majority of working hours between 6:30 a.m. and 3:00 p.m.) and night (majority of working hours between 2:30 p.m. and 7:00 a.m.) shifts, and who would be eligible for a parking permit in both periods. The monthly fee charged for such a Rotating Shift Permit will be calculated by adding together six months of the day fee charged and six months of the night fee charged at the requested location, divided by 12. The resulting monthly fee is to be paid through biweekly payroll deduction. The granting of a Rotating Shift Permit is based upon the assumption that an equal amount of time will be spent on each shift. If it is determined that an employee spends a disproportionate amount of time on one shift over another over a 12-month period, then the Joint Labor-Management Committee on Commute Options and Parking reserves the right to revoke and/or not renew an employee's Rotating Shift Permit. Rotating shift permits will be granted consistent with the prioritization established in Article 4 of this MOU.

ARTICLE 10 PARKING FOR HIRING HALL EMPLOYEES

Eligible MOU 35 and MOU 62 employees, regardless of the duration of their employment, who are assigned by the employing department to work the swing or night shifts (any shift that begins between 2:00 pm and 11:00 pm), may receive parking benefits in City-managed employee lots, subject to space availability, as determined by the EBD, in

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accordance with its ongoing administration of parking benefits. Day parking may also be provided in City-managed employee lots on a space-available basis after parking has been provided to the categories described in Article 4., Section A. Payment for these parking benefits shall be in accordance with Article 5 of this MOU.

ARTICLE 11 ANNUAL REVIEW OF FEES AND INCENTIVES

Each year after the completion of the City's budget process, but not later than October 1, EBD staff will provide a brief summary to the JLMC-COP regarding the health of the fund.

Following each annual presentation about the health of the Fund, the JLMC-COP shall refer potential amendments to an appropriate subcommittee for consideration of parking fee schedule and ridesharing incentive modifications. The subcommittee will recommend to the JLMC-COP any fee or incentive changes needed to maintain the health of the Fund and sustain the benefits described in this MOU.

ARTICLE 12 FLEXIBLE COMMUTE INITIATIVES

During the term of this MOU, the JLMC-COP shall have the authority to administer limited parking/transit trial initiative(s) that would provide employees with the flexibility to use a combination of parking and transit benefits according to their particular needs. Any such trial initiative would be created in alignment with the City's goal to reduce traffic congestion, encourage City employee ridesharing and other means of commute trip reduction, and improve employees' quality of life.

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IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Special Parking MOU the day, month and year written below.

