OFFICE OF THE CITY CLERK

CITY OF OAKLAND



CITY HALL • ONE FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA

94612

PATRICIA KERNIGHAN Councilmember District 2 (510) 238-7002 FAX (510) 238-6910 TDD (510) 839-6451

TO:

Finance & Management Committee Councilmember Patricia Kernighan

FROM: DATE:

June 8, 2010

RE:

Resolution Establishing Budget Policy Regarding City Subsidization of Parking in the Downtown City Conton for City Employees and Florted Officials

in the Downtown City Center for City Employees and Elected Officials

SUMMARY

This report explains the reasons for the proposed Resolution, which would establish budget policy regarding City subsidization of parking in the Civic Center for City employees and elected officials.

Currently, the City provides at its discretion free parking for 183 employees and 11 elected officials. Free parking is a significant source of foregone revenue to the City.

Free parking also is a strong incentive to use private vehicles to commute to work. That incentive is inconsistent with the City's environmental, transportation and land use policies and plans that promote walking, biking and taking transit, and that aim to reduce Greenhouse Gas Emissions.

The proposed resolution would reduce the parking subsidy for employees and elected officials who currently qualify for free parking in the City's downtown garages or have assigned parking spaces on 14th Street, Clay Street or in the basement of City Hall. Subsidy reductions would be geared to annual base salary. The City Council is requested to adopt the proposed Resolution.

FISCAL IMPACT

The parking spots in City garages which are currently provided for free to City employees generate no revenue to the City. If all employees and elected officials who currently receive free parking were to pay for parking at the *rates proposed in this Resolution*, the annual revenue generated from these payments would be \$234,000.

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If all employees and electeds who currently receive free parking were to pay *market rate* for parking, the potential annual revenue generated from these payments would be as much as \$443,592.

BACKGROUND

Parking Administration has prepared a companion Informational Report on City-Sponsored Employee Parking in Downtown Garages, dated June 8, 2010, which supplements this proposed resolution. The staff report provides the history of Council direction and management actions concerning City-paid employee parking in downtown garages.

In recent months, Parking Administration completed an analysis of current usage of free parking and prepared an Administrative Instruction setting forth new criteria for determining which employees and elected officials should be eligible for free or reduced cost parking in the Cityowned downtown parking garages. This proposed Administrative Instruction was part of Parking Administration's Reports to the Finance & Management Committee on April 13 and April 27, 2010.

The April 27 report also identified 183 City employees (including one elected official), who currently receive free parking in the City's three downtown garages and would continue to do so pursuant to the terms of the Administrative Instruction. The identified 183 did not include the City Councilmembers who currently receive free parking on 14th or Clay streets or the Mayor and City Attorney who receive free parking in the City Hall basement.

This proposed budget policy would apply to all elected officials in addition to the 183 identified employees who qualify for subsidized parking pursuant to the terms of the Administrative Instruction prepared by Parking Administration.

KEY ISSUES AND IMPACTS

Foregone Revenue

Free parking is a significant source of foregone revenue to the City. Based on market rate prices for parking in City garages, an average of \$32,940 per reserved garage parking space per year is not realized by the City (\$180 per space X 183 spaces X 12 months), for a total of \$395,280. Additional foregone revenue results from the free on-street parking for eight members of the City Council, amounting to potentially as much as \$5,200 per year per space (8 spaces X \$2 per hour X 10 hours per day X 52 weeks per year).

Therefore, total potential foregone revenue for all the free parking currently being provided to Civic Center employees and elected officials is as much as \$443,592 annually, assuming all

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reserved spaces are occupied by the public and all on-street parking spaces are occupied at all times.

In light of the City's grave budget deficit, the City can no longer afford to provide free parking to its employees and elected officials. As the City enters a period of adopting austerity measures, this change is appropriate and needed.

Free Parking Conflicts with Established City Policies

Eliminating free parking would remove an incentive to use private vehicles to commute to the Civic Center, which is a transit-rich area. Driving private vehicles is inconsistent with City policy. Adopted transportation and land use policies promoting alternative transportation use include the City's Transit First Policy, October 1996 (Resolution #73036), the City's Land Use & Transportation Element (LUTE), March 1998, and the City of Oakland Bicycle Master Plan (2007), a part of the LUTE. Attachment A identifies relevant policy goals in the LUTE.

Single Occupant vehicles and light trucks contribute approximately 58% of Oakland Green House Gas emissions as identified in the draft Energy and Climate Action Plan, published April 22, 2010. Any reduction in the support for private vehicle use would help Oakland meet its Energy and Climate Action policy goals, as proposed.

Proposed New Policy for Limited Subsidization of Parking

The proposed Resolution regarding parking subsidization would apply to elected officials and those categories of employees designated in the Administrative Instruction. Instead of free parking, this proposed budget policy would provide limited parking subsidization. Some subsidization is appropriate since elected officials and some employees are expected to use their private vehicles in the course of performing their duties. Most have no form of reimbursement to cover the cost of using vehicles.

The proposed subsidization is based on a means test geared to base annual salary. Elected officials and employees with the largest base salaries would receive the smallest subsidies, and those with the smallest base salaries would receive the largest subsidies. The parking rate structure is as follows:

- Base annual salary is no more than \$55,000 parking charge shall be \$40 per month;
- Base annual salary is more than \$55,000 and as much as \$75,000 parking charge shall be \$60 per month;
- Base annual salary is more than \$75,000 and as much as \$95,000 parking charge shall be \$80 per month;

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- Base annual salary is more than \$95,000 and up to \$125,000 parking charge shall be \$120 per month; and
- Base salary is more than \$125,000 parking charge shall be \$140 per month.

SUSTAINABLE OPPORTUNITIES

Economic: Reduced subsidization of parking in the Civic Center area for employees and elected officials will generate \$234,000 in parking revenue annually if all affected individuals continue to park in the downtown facilities.

Environmental: Reduced subsidization can be expected to reduce the number of private vehicles trips made by elected officials and their staff, and other employees to the Civic Center area. Fewer trips will reduce overall Green House Gas emissions.

Social Equity: Subsidization on a sliding scale will result in those earning the highest base salaries qualifying for the smallest subsidies.

RECOMMENDATION(S) AND RATIONALE

Councilmember Kernighan recommends that the City Council approve the attached Resolution establishing a budget policy regarding City subsidization of employee parking in the Civic Center. The purpose of the budget policy is to align parking privileges with adopted City policies regarding the environment, transportation and land use by reducing the incentive to drive that is created by free parking. The proposed budget policy also will generate revenue for the City.

The City will meet with unions to discuss discontinuation or reduction of subsidization of parking with unions representing affected employees.

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ACTION REQUESTED OF THE CITY COUNCIL

That City Council approve the attached Resolution.

Respectfully submitted,

Patricia Kernighan⁽

Councilmember, District 2

Prepared by:

Jennie Gerard, Chief of Staff Councilmember Patricia Kernighan

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Attachment A

Relevant Policy Goals of the adopted 1998 Land use and Transportation Element of the General Plan include:

Promote alternative transportation options: Reduce dependency on the automobile by providing facilities that support use of transportation modes

Improve the environment: Improve air quality and reduce exposure to traffic noise

Policy T2.1 Encouraging Transit-Oriented Development.

Transit-oriented development should be encouraged at existing or proposed transit nodes, defined by the convergence of two or more modes of public transit such as BART, bus, shuttle service, light rail or electric trolley, ferry, and inter-city or commuter rail. (The vision for each of Oakland's BART Stations is discussed on the next several pages.)

Policy T3.6 Encouraging Transit.

The City should encourage and promote use of public transit in Oakland by expediting the movement of and access to transit vehicles on designated "transit streets" as shown on the Transportation Plan. (Policies T3.7 and T3.7 are based on the City Council's passage of "Transit First" policy in October 1996.)

Policy T3.7 Resolving Transportation Conflicts.

The City, in constructing and maintaining its transportation infrastructure, should resolve any conflicts between public transit and single occupant vehicles in favor of the transportation mode that has the potential to provide the greatest mobility and access for people, rather than vehicles, giving due consideration to the environmental, public safety, economic development, health, and social equity impacts.

Policy T4.2 Creating Transportation Incentives.

Through cooperation with other agencies, the City should create incentives to encourage travelers to use an alternative transportation options.

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Approved as to Form and Legality

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OAKLAND CITY COUNCIL

Resolution No.	C.M.S.
Introduced by Councilmember Patric	ia Kernihan

RESOLUTION ESTABLISHING BUDGET POLICY REGARDING CITY SUBSIDIZATION OF PARKING IN THE DOWNTOWN CIVIC CENTER FOR CITY EMPLOYEES AND ELECTED OFFICIALS

WHEREAS, the City has exercised discretion in determining which employees and elected officials receive subsidized parking and to that end submitted to the Finance & Management Committee on October 27, 2009 a proposed Administrative Instruction setting forth new criteria for determining which employees and electeds should be eligible for free or reduced cost parking in the City-owned downtown parking garages; and

WHEREAS, Parking Administration's Report to the Finance & Management Committee of April 27, 2010 identified 183 City employees, including elected officials and their staff (but which did not include free street parking for City Councilmembers and City Hall basement parking for the Mayor and City Attorney), who currently receive free parking in the City's three downtown garages, Clay, Dalziel and City Center West garages, and would continue to do so pursuant to the terms of the Administrative Instruction; and

WHEREAS, the City wishes to encourage commuting to work by walking, biking and/or riding transit rather than driving private vehicles, and;

WHEREAS, providing parking free of charge is a strong incentive to drive rather than to use transit, bike or walk; and

WHEREAS, the City's financial condition requires that it reduce subsidies for employee and elected official parking; and

WHEREAS, the City seeks to reduce subsidized parking so that the highest paid employees and elected officials will receive less subsidization than the lowest paid employees and elected officials; and

WHEREAS, of the 183 City employees (including elected officials and their staffs) who were identified as eligible for subsidized parking pursuant to the proposed Administrative Instruction. 17 employees earn \$55,000 or less annually, 22 employees earn more than \$55,000 and as much as \$75,000 annually, 38 employees earn more than \$75,000 and as much as \$95,000 annually, 57 employees earn more than \$95,000 and as much as \$125,000 annually, and 49 employees and three elected officials earn more than \$125,000 annually; Now therefore be it

RESOLVED: that elected officials and their staffs, and employees who qualify for free parking in downtown City-owned parking garages, in the City Hall basement or on 14th and Clay streets in reserved parking spaces under the terms of the referenced Administrative Instruction shall be charged a discounted rate based on their base annual salary: when base annual salary is no more than \$55,000, the charge shall be \$40 per month; when base annual salary is more than \$55,000 and as much as \$75,000, the charge shall be \$60 per month; when base annual salary is more than \$75,000 and as much as \$95,000, the charge shall be \$80 per month; when base annual salary is more than \$95,000 and up to \$125,000, the charge shall be \$120 per month; and when base salary is more than \$125,000, the charge shall be \$140 per month; and

FURTHER RESOLVED: that the City shall satisfy any requirement that it may have to provide notice and an opportunity to discuss the reduction with unions representing affected employees, prior to implementation of such reductions.

IN COUNCIL, OAKLAND, CALIFORNIA,	, 2010
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PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NAD BRUNNER .	DEL, QUAN, REID AND PRESIDENT
NOES -	
ABSENT -	
ABSTENTION -	
•	ATTEST:LaTonda Simmons
	City Clerk and Clerk of the Council
	of the City of Oakland, California

FILED OFFICE OF THE CITY GLERI OAKLAND CITY OF OAKLAND 2010 MAY 27 PM 4: 47 AGENDA REPORT

TO:

Office of the City Administrator

ATTN:

→ Dan Lindheim

FROM:

Parking Administration

DATE:

June 8, 2010

RE:

Informational Report on City-Sponsored Employee Parking in Downtown

Garages

SUMMARY

This staff report provides the history of Council direction and management actions concerning City-paid employee parking in downtown garages. The City Administrator's office has prepared and introduced on a number of occasions in the past a draft AI which defines the current employee parking benefits (see attached copy).

DISCUSSION

A. History

Below is a chronology of consideration and communication concerning City-sponsored employee parking in downtown City garages.

On October 24, 2000 the City Manager's Office issued a memorandum to Agency and Department Heads outlining his administrative policy on eligibility for (not entitlement to) City sponsored parking for City employees in downtown garages. The memorandum (see a copy in Attachment A) was never formalized in an Administrative Instruction. Because the memorandum only discusses eligibility for parking, rather than entitlement to parking, it permitted management to exercise discretion over who, among the eligible, received parking.

At the **June 11, 2008** City Council meeting, staff presented a report discussing the number and cost of City paid parking spaces for City employees in downtown garages.

At the **June 30, 2009** Special Budget Meeting, the City Council approved the FY 2009-2011 budget, which included a revenue expectation of \$233,000 annually for the Garage Fund as a result of relocating City employees from the Clay Street and Dalziel garages to the City Center West garage.

At the July 28, 2009 special City Council meeting, staff reported to the City Council that moving employees to the City Center West garage would raise safety concerns, and that such a movement was premature given the development of a Citywide employee parking policy.

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At the October 27, 2009 Finance and Management Committee meeting:

- 1. Staff presented a copy of a proposed Administrative Instruction (AI) on free employee parking (in downtown garages), and recommended that "in assigning designated parking spots to employees [under the proposed AI], preference will be given to the City Center West and Dalziel garages, allowing increased public access to the more centrally located Clay Street Garage."
- 2. Staff reported that "In August 2009, the Parking Manager deactivated all Clay Street garage passes for which it was known that the information was not current or for passes that had been issued more than three years ago. Patrons or employees using those passes had to turn in their pass and provide an authorization form before their pass could be returned to them and reactivated. Thirty-four passes were deactivated as a result of this effort."
- 3. The Committee was advised that, once the AI on employee parking is approved, "the Parking Division will be reassigning employee parking for employees in categories II, III, and IV to either the basement of Clay Street garage or Dalziel; employees in categories V and VI will be assigned to City Center West, Dalziel garage, or Clay Street basement level (depending on their work assignments and hiring agreements)" and "The Human Resources Employee Relations division will meet and confer with the appropriate unions to discuss the proposed impacts since taking away parking privileges from employees to whom it was previously granted will require a meet and confer for represented employees."

At the **November 10, 2009** and **February 23, 2010** Finance and Management Committee meetings, during budget status updates, staff reminded the committee of the intention to move employees to Clay Street garage basement, Dalziel and/or City Center West, as discussed at the October 27, 2009 meeting – and following Council's vote on the AI.

At the January 12, 2010 Finance & Management Committee meeting staff presented again the draft AI on employee and City official parking privileges, and the recommendation to move all employees currently parking in the Clay Street garage to the basement of the garage, to the Dalziel Building garage or City Center West garage.

At the **April 27, 2010** Finance and Management Committee meeting, staff provided a follow-up report regarding an Administrative Policy on Employee and City Official Parking Privileges, and the following information:

1. That a total of 34 employees were moved from the above-ground levels in the Clay Street garage to the basement, the Dalziel garage or the City Center West garage. As a result of the move, the Clay Street garage has parking spaces available to paying patrons most of the time now, only rarely becoming full.

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- 2. List of employees who: (a) receive parking privileges at *downtown* locations by job classification, eligibility for a car allowance, salary and union representation, and (b) number of employees by department that receive parking privileges at *non-downtown* City locations.
- 3. A plan to offer Alameda County Transit Pass benefit to City employees.
- 4. Re-submittal of the proposed AI on employee and official parking privileges.

B. Impacts on Employees from Any Proposed Changes in Parking Practices

There are currently 183 City employees who receive free parking in downtown garages (Clay, Dalziel and City Center West). Of the total:

- 1. 164 are represented by employee unions: The City has informed all Unions representing affected employees regarding possible discontinuation or reduction of City-sponsored parking. All employee unions requested to meet with management to discuss impacts of the proposed changes to the current ("status quo" employee parking situation.
- 2. 23 have hiring agreements that reference free parking: These may need to be renegotiated.
- 3. 19 are unrepresented with no hiring agreements: A free parking benefit has arguable become a beneficial past practice for these employees, and taking away such a benefit would have an impact.

Respectfully submitted.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that City Council accepts this informational report.

AT ROVED AND FOR WARDED TO THE	, 1100p 1111111,
FINANCE AND MANAGEMENT COMMITTEE:	•
Ad A	Hoer Puits.
Office of the City Administrator	Noel Pinto
	Parking Operations Manager

Attachments: DRAFT Administrative Instruction on Parking Privileges at Downtown Garages

Item:	•
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CITY OF OAKLAND



ADMINISTRATIVE INSTRUCTION

SUBJECT	CITY EMPLOYEE PARKING PRIVILEGES AT DOWNTOWN GARAGES	NUMBER
REFERENCE		EFFECTIVE
SUPERSEDE	N/A	
DRAFT – for discussion purposes		

I. PURPOSE

The purpose of this administrative instruction is to establish City policy and procedures on employee and City official parking privileges and to define benefit eligibility, for downtown locations only.

II. POLICY

The City may provide parking privileges for eligible employees and City officials in City owned and operated parking facilities in downtown Oakland, to support such employee and City officials in the delivery of their official duties and responsibilities. The City may also provide employees with access to City-owned garages in downtown Oakland at a reduced or subsidized monthly rate. Additionally, employees who have to drive a City vehicle during an entire work shift to perform their duties (e.g. parking enforcement officers, street sweeping operators, etc.) may be permitted to park their personal vehicle in the reserved City vehicle space while working their shift hours, for free or at a reduced monthly parking rate. Assignments to specific garages will be based on space availability, proximity to worksite and, where applicable, compliance with the Americans with Disabilities Act. In lieu of free parking privileges, eligible employees may opt to enroll in an available public transportation program provided by the City.

III. DEFINITIONS

Term

Parking Privileges	Elected and Appointed Officials:
Category I	a) Council – one free on-street parking spot and one free
	assigned parking spot in Clay Street garage basement.
	Second spot in Clay Street basement may be assigned to
	staff.
	b) Mayor – one free designated parking spot at City Hall,

Definition

basement level.
c) City Auditor – One assigned free parking spot at Dalziel garage.

basement level.

e) City Administrator – one assigned free parking spot at City Hall, basement level; or Dalziel garage.

f) City Clerk – one assigned free parking spot at Clay Street basement level or Dalziel garage.

d) City Attorney – One assigned free parking spot at City Hall,

Parking Privileges Category I, cont.

Parking Privileges
Category II

Staff to Elected Officials

- a) Council two assigned free parking spot per Council office for assigned staff in Clay Street, basement level.
- b) Mayor seven assigned free parking spots for staff at Clay Street, basement level.
- c) City Auditor two assigned free parking spots for staff at Clay Street, basement level.
- d) City Attorney seven assigned free parking spots for staff at Clay Street, basement level.
- e) City Administrator five assigned free parking spot at Clay Street, basement level or Dalziel garage.
- f) City Clerk one assigned free parking spot at Clay Street basement level or Dalziel garage.

Parking Privileges
Category III

Agency Directors and Department Heads – one assigned free parking space at Clay Street basement level or Dalziel garage.

Parking Privileges Category IV Deputy and Assistant Directors or other classifications at similar levels in the organization (U31 or UM1 grade 22 or higher) – one assigned free parking space at Clay Street basement level, City Center West, or Dalziel garage.

Parking Privileges Category V

Employees who have parking as a specific benefit in their hiring agreement – one assigned free parking space at City Center West, Clay Street basement level, or Dalziel garage.

Parking Privileges Category VIa Employees who are required to use their vehicles in the performance of assigned duties or whose work assignments regularly require that they work late hours may be assigned free parking at City Center West, Clay Street basement level, or Dalziel garage. Department heads must provide written justification and parking access may only be granted at the discretion of the City Administrator on a case-by-case basis.

Parking Privileges Category VIb Employees who have to drive a City vehicle during an entire work shift to perform their duties (e.g. parking enforcement officers, street sweeping operators, etc.) may be permitted to park their personal vehicle in the reserved City vehicle space while working their shift hours, for free or at a reduced monthly parking rate. Department heads must provide written justification and parking access may only be granted at the discretion of the City Administrator on a case-by-case basis.

Parking Privileges Category VII Employees needing parking on a seasonal basis for the duration of time where there is a need to work late/irregular hours may be granted free parking in the Dalziel garage after 5 p.m. for the duration of the assignment for which they are required to work late. Alternatively, employees in Category VII may purchase all-hours access to Dalziel garage at 50% of the monthly rate during their peak season(s). Department heads must provide written justification and parking access may only be granted at the discretion of the City Administrator on a case-by-case basis.

IV. PROCEDURES

A. General Policy Terms and Conditions

- 1. Employees who participate in the City car share program or use City pool vehicles will not be eligible for the City's parking privilege program.
- 2. Designated parking spots will be assigned by the Parking Manager and are subject to the approval of the City Administrator based on proximity to worksite and for compliance with the Americans with Disabilities Act.
- 3. An Authorization for Parking Benefit Form must be submitted by the Department to the Parking Manager and Human Resources for review and approved by the City Administrator before a parking space can be assigned.
- 4. The Parking Manager will be responsible for creating and maintaining a database of all employees that utilize the City's free parking privileges.
- 5. The Parking Manager will be responsible for issuing, maintaining, and deactivating parking passes.
- 6. The Department of Human Resources Management will be responsible for reporting all employee separations to the Parking Administration Division on a timely and regular basis.
- 7. The Department of Human Resources Management will maintain the list of eligible classifications. Revisions to the list of classifications will be made as changes to the City's Classification Plan occur.

B. Parking Privilege Approval

Responsible Party	Action		
Requesting Department	1. Submits <i>Authorization for Parking Benefit</i> to the Director of Human Resources Management for review of compliance of request with policy.		
Director of Human Resources Management	2. Reviews request for compliance with policy by determining if the employee is in an eligible classification or the parking benefit is consistent		

with the terms of the hiring agreement.

- 3. If in compliance, forwards Authorization for Parking Benefit Form to the City Administrator for approval.
- 4. Authorizes the assignment of parking space to employees who meet the requirements and forwards the completed form to the Parking Manager.
- 5. Once request is approved, assigns parking location and issues parking pass.
- 6. Maintains database of eligible employees, issues parking passes, and provides Department with completed form and parking space assignment.
- 7. Collects and tracks payments from employees who are authorized to participate in the subsidized rate program.
- 8. Reviews parking rosters quarterly for compliance and changes in personnel.

Parking Manager (cont'd)

Parking Manager

City Administrator

C. Elimination of Parking Privileges

- 1. Parking Privileges for City officials or employees shall be discontinued for failure to comply with the provisions of this Administrative Instruction.
- 2. Parking Privileges benefit shall be discontinued when a change in employment status occurs that transfers or removes a City official or employee from a qualifying position.
- 3. Parking Privileges may be changed or revoked at any time due to business necessity.

V. Annual Reporting

No later than January 31st of each year, the Parking Division staff shall provide a report to the Finance and Management Committee detailing the number of free assigned parking spots by job classification/title, the parking privilege category (defined above) under which the free assigned spot is authorized, and the garage in which the free parking spot is assigned.

DAN LINDHEIM City Administrator

Attachment: Authorization for Parking Benefit Form

CITY OF OAKLAND AUTHORIZATION FOR FREE PARKING BENEFITS

'Please refer to AI _____ for instructions (Please print or type)

Employee Information:	Check one	e:
Employee Name (last, middle, first)		New Authorization Change in eligible classification Change in eligible category
Employee ID #	Vehicle De	escription:
Classification Title	Year	
Contact #	Make	
	Model	
Agency/Department	License Plate #	
Employee Signature Date		☐ II - Staff to Elected/Appointed☐ III - Director or Dept. Head☐ IV - Asst. or Deputy Director☐ V - Hiring Agreement☐ VI - Driving Required*
Agency Director/Department Head Signature	Date	☐ VI - Driving Required* ☐ VII - Seasonal/off hours
Director of Human Resources Management	Date	*Justification for employees qualifying under Category VI must be attached, e.g. employee will
City Administrator	Date	drive more than 40% time in the execution of her/his duties, etc.
Production Parties of the Works of the International Control	dukake a jia tao wa mana	Statili, Full, valvas, architekt Vittell (2008) and Plat.
For Parking Division Use Only: ## 4 * * * * * * * * * * * * * * * * *		initials
Assigned Garage: Assigned Parking Slot: Rarking Pass ID # Employee Parking Approved Under Qualifying C	明問問的智慧和	Date: Date: White Art of the Sale of the S