CITY OF BALTIMORE ORDINANCE Council Bill 20-0558

Introduced by: Councilmembers Dorsey, Sneed Introduced and read first time: July 6, 2020 Assigned to: Transportation Committee Committee Report: Favorable with amendments Council action: Adopted Read second time: November 2, 2020

AN ORDINANCE CONCERNING

1	City Officers and Employees – Commuting Benefits
2	FOR the purpose of requiring that the Department of Human Resources have a written policy
3	regarding certain parking benefits; requiring the Department of Human Resources offer a
4	public mass transit subsidy to every officer and employee of the City; requiring the
5	Department of Human Resources offer a cash equivalent alternative to any City officer or
6	employee entitled or eligible to receive a parking benefit; defining certain terms; and
7	generally relating to encouraging the use of public mass transit by City officers and
8	employees and the Department of Finance submit a report to the Mayor and City Council
9	evaluating certain matters related to providing parking and commuter benefits to City
10	employees; and providing for a special effective date.
11	BY adding
12	Article 1 - Mayor, City Council, and Municipal Agencies
13	Section(s) 7-12
14	Baltimore City Code
15	(Edition 2000)
16	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the
17	Laws of Baltimore City read as follows:
17	Laws of Dutilitore City fead as follows.
18	Baltimore City Code
19	Article 1. Mayor, City Council, and Municipal Agencies
20	
20	Subtitle 7. City Officers and Employees
21	§ 7-11. {Reserved}
22	§ 7-12. Commuting benefits.
23	(A) PURPOSE OF SECTION.

EXPLANATION: CAPITALS indicate matter added to existing law. [Brackets] indicate matter deleted from existing law. <u>Underlining</u> indicates matter added to the bill by amendment. Strike out indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 2 3 4 5 6 7 8 9 10 11	(1) BALTIMORE HAS ENACTED A COMPREHENSIVE COMPLETE STREETS LAW, CODIFIED AT CITY CODE ARTICLE 26, SUBTITLE 40, THAT AIMS TO EQUITABLY ADVANCE ACCESS TO WALKING, BIKING, AND PUBLIC TRANSPORTATION. FURTHER, BALTIMORE'S SUSTAINABILITY GOALS CALL FOR A REDUCTION IN VEHICLE MILES TRAVELED AND INCREASES IN WALKING, BIKING, AND PUBLIC TRANSPORTATION. YET, VEHICLE MILES TRAVELED ARE INCREASING, AND RATES OF ALTERNATIVE TRANSPORTATION USES ARE DECREASING. BALTIMORE SUBSIDIZES AUTOMOBILE COMMUTES IN THE FORM OF PARKING SUBSIDIES, BUT ONLY FOR CERTAIN EMPLOYEES. THIS PROMOTES CONGESTION ON CITY STREETS, PARTICULARLY DOWNTOWN AND PARTICULARLY DURING PEAK TRAVEL HOURS, AND THIS WORKS AGAINST GOALS FOR EQUITABLE TRANSPORTATION ACCESS AND REDUCED VEHICLE MILES TRAVELED.
12 13 14 15 16 17 18 19 20	(2) Thus, it is the policy of the Mayor and City Council of Baltimore to Establish a parking cash-out option and transportation alternatives Subsidy, which are both proven to shift people driving alone into Alternative modes of transportation like walking, biking, public transit, and carpooling. It is also to require that a policy be clearly written as to the justification and the criteria for a City official or employee to be entitled to a parking subsidy. This will help meet the goals stated above and more clearly align Baltimore's policies with its stated and expressed values and concerns, including the grave matter of climate change.
21	(B) DEFINITIONS.
22	(1) IN GENERAL.
23	IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.
24	(2) AGENCY.
25	(I) IN GENERAL.
26 27	"AGENCY" MEANS ANY DEPARTMENT, BOARD, COMMISSION, COUNCIL, AUTHORITY, COMMITTEE, OFFICE, OR OTHER UNIT OF CITY GOVERNMENT.
28	(II) INCLUSIONS.
29	"AGENCY" ALSO INCLUDES THE:
30	(A) BALTIMORE CITY PARKING AUTHORITY;
31	(B) BALTIMORE POLICE DEPARTMENT; AND
32	(C) HOUSING AUTHORITY OF BALTIMORE CITY.
33	(2) Parking benefit.
34	(I) IN GENERAL.

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1	"PARKING BENEFIT" MEANS PERSONAL MOTOR VEHICLE PARKING PROVIDED TO AN
2 3	OFFICER OR AN EMPLOYEE, EITHER DIRECTLY BY THE AGENCY OR INDIRECTLY THROUGH A PARKING SUBSIDY PAID BY THE AGENCY.
4	(II) EXCLUSION.
5	"PARKING BENEFIT" DOES NOT INCLUDE PARKING WHOSE COST AND USE IS NOT
6	ACCOUNTED FOR BY A DAILY, WEEKLY, MONTHLY, OR YEARLY RATE.
7	(3) PARKING SUBSIDY.
8	(I) "Commercial parking facility" defined.
9	IN THIS PARAGRAPH, "COMMERCIAL PARKING FACILITY" HAS THE MEANING
10 11	STATED IN CITY CODE ARTICLE 15, § 12-1(B) {"COMMERCIAL PARKING FACILITY"}.
12	(II) IN GENERAL.
13	"PARKING SUBSIDY" MEANS AN AMOUNT OF MONEY REGULARLY PAID BY AN
14	AGENCY TO EITHER AN OFFICER OR AN EMPLOYEE DIRECTLY OR TO A COMMERCIAL
15	PARKING FACILITY TO OFFSET, EITHER FULLY OR PARTIALLY, THE COST PAID BY
16	THE OFFICER OR THE EMPLOYEE FOR A PARKING SPACE FOR THE OFFICER OR
17	EMPLOYEE'S PERSONAL MOTOR VEHICLE.
18	(III) INCLUSION.
19	"PARKING SUBSIDY" INCLUDES A DISCOUNTED RATE OFFERED BY A COMMERCIAL
20	PARKING FACILITY TO CITY OFFICERS AND EMPLOYEES THAT IS NOT OFFERED OR
21	AVAILABLE TO THE PUBLIC AT LARGE.
22	(4) Public transit subsidy.
23	(I) "PUBLIC TRANSPORTATION" DEFINED.
24	(A) IN GENERAL.
25	IN THIS PARAGRAPH, "PUBLIC TRANSPORTATION" MEANS A CORE
26	TRANSPORTATION SERVICE ADMINISTERED BY THE MARYLAND TRANSIT
27	Administration, such as CityLink, LocalLink, Light RailLink, Metro
28	SUBWAYLINK, AND BALTIMORE NEIGHBORHOOD SHUTTLES.
29	(B) Exclusions.
30	"PUBLIC TRANSPORTATION" DOES NOT INCLUDE MARC TRAIN SERVICE OR
31	Express BusLink service.

1	(II) IN GENERAL.
2	"PUBLIC TRANSIT SUBSIDY" MEANS AN AMOUNT OF MONEY REGULARLY PAID BY
3	AN AGENCY TO EITHER AN OFFICER OR EMPLOYEE DIRECTLY OR TO THE
4	MARYLAND TRANSIT ADMINISTRATION TO FULLY OFFSET THE COST OF PUBLIC
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5	TRANSPORTATION.
6	(C) DEPARTMENT OF HUMAN RESOURCES POLICY.
7	THE DEPARTMENT OF HUMAN RESOURCES MUST HAVE A WRITTEN POLICY THAT CLEARLY
8	ARTICULATES THE ELIGIBILITY CRITERIA FOR ANY AGENCY OFFICER OR EMPLOYEE TO
9	RECEIVE A PARKING BENEFIT.
10	(D) AGENCY BENEFITS.
11	AN AGENCY MAY ONLY AUTHORIZE A PARKING BENEFIT TO AN AGENCY OFFICER OR
12	EMPLOYEE:
13	(1) IN ACCORDANCE WITH THE DEPARTMENT OF HUMAN RESOURCES POLICY
14	DESCRIBED IN SUBSECTION (C) OF THIS SECTION; AND
15	(2) PROVIDED THAT OFFICERS OR EMPLOYEES WHO ARE INELIGIBLE FOR A PARKING
16	BENEFIT UNDER THE DEPARTMENT OF HUMAN RESOURCES POLICY SHALL RECEIVE
17	A PUBLIC TRANSIT SUBSIDY.
18	(E) Cash equivalent alternative required.
19	IF AN AGENCY OFFICER OR EMPLOYEE IS ELIGIBLE TO RECEIVE A PARKING BENEFIT UNDER
20	THE POLICY DESCRIBED IN SUBSECTION (C) OF THIS SECTION, THE AGENCY OFFICER OR
20	EMPLOYEE MUST BE OFFERED, AS AN ALTERNATIVE, THE CASH EQUIVALENT OF THE
	AMOUNT THAT THE AGENCY WOULD HAVE PAID FOR THE PARKING BENEFIT.
22	AMOUNT THAT THE AGENCY WOULD HAVE PAID FOR THE PARKING BENEFIT.
23	SECTION 2. AND BE IT FURTHER ORDAINED, That the catchlines contained in this Ordinance
24	are not law and may not be considered to have been enacted as a part of this or any prior
25	Ordinance.
26	SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on July 1,
27	2021.
28	SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:
29	(a) On or before June 30, 2021, the Department of Human Resources and the Department
30	of Finance shall jointly submit a report to the Mayor and City Council evaluating the
31	development and implementation of a uniform parking and commuter benefit policy
32	for use by the Board of Estimates and City agencies.
22	(b) The non-out required by this Section of -11 is -body.
33	(b) The report required by this Section shall include:
34	(1) proposals and recommendations for specific eligibility criteria, based on
35	articulable best practices from other political jurisdictions as well as the private

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1 2	sector, to be used by agencies in determining which agency officers or employees may receive parking and commuter benefits as part of their compensation;
3	(2) a cost-benefit analysis of whether there is a necessity for the City to provide
4	certain agency officials or employees with parking and commuter benefits in order
5	to attract and retain quality personnel;
6	(3) a study of the feasability of a providing a cash-equivalent alternative for agency
7	officials and employees who may be otherwise eligible to receive parking and
8	commuter benefits but wish to opt-out; and
9	(4) research into potential partnerships with, or cost-accommodations from, the
10	Maryland Transit Administration in order to provide each agency officer and
11	employee with a commuter benefit for use on certain Maryland Transit
12	Administration facilities, such as CityLink, LocalLink, Light RailLink, Metro
13	SubwayLink, and Baltimore Neighborhood Shuttles.
14 15	SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

Certified as duly passed this _____ day of _____, 20____

President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this _____ day of _____, 20____

Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City