

Subject:Montebello red light cameras - Meeting of Dec. 13

Date:Mon, 11 Dec 2017 14:14:44 -0800

From:Jim <jim

Reply-To:jim

To:jmedrano@cityofmontebello.com, lguzman@cityofmontebello.com

For the City Clerk:

Please distribute this letter, and its attachments, to the members of the City Council, and place it on the Council agenda under public comments.

12-11-17

Subject: It Would Be Premature to Award Red Light Camera Contract Now - Meeting of Dec. 13

Honorable Mayor and Councilmembers:

Any action now on the red light camera program would be premature. Action *can* and *should* be put off to a later date.

Action can be put off to a later date; the staff report - in what may be an attempt to make the council think that a decision must be made *right now* - says, "The contract has expired and the Police Department is currently on a 2-month extension for services....," when the whole truth is that the contract expired in 2015 and has had at least 18 (eighteen) short extensions since then.

Here are reasons that action should be put off to a later date.

1. The new staff report does not include any safety stats (have the cameras been effective?) and the only previous safety stats (May 2014, copy attached) are very brief, especially when the size of the program is considered. (Per the ticketing counts at the highwayrobbery website, the program has issued about 117,000 tickets carrying \$50 million in fines.) I expect that the police and/or Redflex will present at least some safety statistics during or just before Wednesday's meeting, but deliberately too late for the public or councilmembers to fact check the claims made, as in the last year or so the aforementioned last-minute proffering of safety stats has become the Industry's strategy. I also want to note that a claim of a huge reduction in accidents in Montebello would also be at odds with statements by the authorities in more than twenty other cities, who have reported little or no reduction. (Their statements are in the "Candor" attachment.) [The Candor attachment is section 4.5 on the Industry PR page at highwayrobbery.net.]
2. Between 2014 and 2016, the City nearly doubled the number of tickets, and it did double the number of right turn tickets - which by 2016 were 70% of all tickets.
3. The staff report provides, as references, a short list of other Redflex customers but

fails to mention that one of the four cities, Oxnard, shut their cameras down eleven months ago. The staff report says that Redflex has "partnered" with 24 California cities, without mentioning that it once had three times as many customers; California cities which have shut down their Redflex cameras are Baldwin Park, Bell Gardens, Belmont, Beverly Hills, Burlingame, Compton, Corona, El Cajon, El Monte, Emeryville, Escondido, Fairfield, Gardena, Glendale, Grand Terrace, Hayward, Highland, Inglewood, Laguna Woods, Lancaster, Loma Linda, Lynwood, Marysville, Maywood, Modesto, Moreno Valley, Napa, Oakland, Oceanside, Oxnard, Paramount, Poway, Rancho Cucamonga, Redlands, Redwood City, Riverside, Rocklin, San Carlos, San Rafael, Santa Ana, Santa Clarita, South Gate, Stockton, Union City, Upland, Victorville, Vista, Walnut, Yuba City, and Yucaipa.

The staff report does not mention that the former head of Redflex' US operations is now in federal prison because of bribery in Chicago and Ohio.

4. Redflex' winning bid was \$2500 per camera per month - the exact same price the City has been paying since 2011 - but the draft contract (included in the attached staff report) says, at section 5.1, that the "contractor has established rates which... do not exceed the best rates offered to other governmental entities in and around Los Angeles County...." Will that language overrule the \$2500 bid? That's important, because there are cities enjoying lower rates even though they have fewer cameras than does Montebello, including nearby Covina with seven cameras at \$2200. If we look further away, there is Del Mar with two cameras at \$1578 and Elk Grove (near Sacramento) which has contracted to pay Redflex \$1500 per camera per month once its five cameras reach ten years in service. And if we look at cities having more cameras than Montebello, there is Garden Grove at \$2200 and Ventura at \$2190.

Here, scanned from the contract Elk Grove negotiated with Redflex in 2014, is the schedule of prices they agreed upon. (Five of Montebello's cameras are 10-1/2 years old and three are 9-1/2 years old.)

Years in service	Fixed price not to exceed / Designated Intersection Approach per month
0-4.99	\$4696.00
5.0-6.99	\$4196.00
7.0-9.99	\$2000.00
10.0+	\$1500.00

If the Montebello council approves the proposed rent of \$2500, over the seven years of the contract extension the City will pay an extra \$672,000 (compared to a \$1500 rent), and to cover that extra rent the City will need to issue an extra 8097 tickets. (In the first ten months of 2017 the City's fine revenue averaged \$83 for each red light camera ticket it issued.)

The draft contract, at section 9.22, provides for Termination for Convenience. The council will be wise to get formal assurances from both staff and Redflex that that clause will remain, unaltered, in any final version of the contract.

Regards,

Jim

Attachments: Three pdf files totaling 1075 KB

Previous emails:

Subject:Montebello red light cameras - the rent - and ticketing way up

Date:Thu, 28 May 2015 14:06:13 -0700

From:Jim

Reply-To:jim

To:jmedrano@cityofmontebello.com, lguzman@cityofmontebello.com

For the City Clerk:

Please distribute this letter, and its attachments, to the members of the City Council, and place it on the Council agenda under public comments.

5-28-15

Subject: Upcoming red light camera contract expiration and possible extension, the rent, and ticketing up 33%

Honorable Mayor and Councilmembers:

This is an expansion upon the letter I wrote to you in February, copy below.

The City's contract with Redflex expired in April, so I assume that you are working on a new one and am taking this opportunity to send along my thoughts.

Per the Elk Grove table (in thread below) and considering the age of Montebello's cameras, you should pay no more than \$2000 per camera during any contract extension. [2017 update: Now that the cameras are 2-1/2 years older, the target price should be \$1500.] If you don't negotiate the rent down, you will pay an extra \$144,000 during a three-year contract extension (compared to Elk Grove prices) and, to cover that extra rent, the City will need to issue an extra 1895 tickets (in 2013 the City's fine revenue averaged \$76 for each ticket it issued). When you inquire about a better price, Redflex may try to explain away a high price by saying that they are going to upgrade the cameras to HiDef or something like that. That's the explanation they have offered in other cities. But how are new cameras worth paying \$144,000 extra?

Aside from the rent, here are some other things to investigate before extending the contract.

A. The most recent data on the number of tickets issued in Montebello shows a surge in ticketing

in the first four months of 2015, with ticketing for this year projected to be 33% higher than the ticketing in 2014 and 54% higher than the average ticketing in the five years 2010 - 2014. Shouldn't ticketing go down over time, not up? (Ticketing data is available at highwayrobbery [dot] net.)

B. If the Council asks staff for a study or presentation, the resulting staff report is likely to include a claim that the cameras have produced a BIG reduction in accidents over the years. I suggest that the Council should be very skeptical about such crash statistics. A staff report presented to the city council in Ventura in March (copy attached) demonstrated one of the reasons why. (Ventura has had red light cameras since 2000.)

In three prominent places in the written staff report, Ventura's staff claimed a 75% reduction in accidents.

1. In the summary, on page 2.
2. In this table, found on page 4.

Year	Red light collisions	% Change from 2000 CATSS Launch
1998	124	
1999	128	
2000	132	
2001	107	19%
2002	115	13%
2003	100	24%
2004	101	23%
2005	93	30%
2006	92	30%
2007	45	66%
2008	41	69%
2009	40	70%
2010	39	70%
2011	34	74%
2012	38	71%
2013	36	73%
2014	34	75%

Imaged from Ventura staff report for 3-30-15 council meeting

3. In the first Powerpoint slide (part of staff report pdf, attached).

Fortunately, during the meeting Ventura's mayor noticed the dramatic change between 2006 and 2007, and asked staff about it. This was staff's response (at 3:20:20 in the City's online video):

"The way the police department reports collisions now is vastly different than we did when we started this program. Now we only report - correct me if I'm wrong - now we only report injury or major property damage collisions. That's different. Our total collision numbers are down quite a bit because the reporting is different."

In other words, "garbage in, garbage out." If we adjust Ventura's table for the reporting change the VPD made back in 2006 - 2007, the result is more like 35 - 40%, not the 75% published. And that occurred against a background of a 20% decline in all injury accidents statewide over the last ten years.

How can the Montebello Council get better statistics than Ventura did? I recommend that you get the accident stats done by an independent professional with credentials in statistics. Among other things, a professional's report will tell you which changes are statistically significant, and which are not.

If the year-by-year accident reduction figures show that the reduction has flattened out over the last several years - a period during which ticketing has increased - it may be likely that the City is ticketing more and more people each year for technical violations having no relation to safety.

Finally, a claim of a huge reduction in accidents in Montebello would also be at odds with statements by the authorities in more than a dozen other cities, who have reported little or no reduction. (To read their statements, read the "Candor" attachment.)

C. If you ask staff about the percentage of tickets going to visitors to town, most likely you will learn that the huge majority of the tickets are going to visitors. (In the twelve cities discussed in FAQ # 22 on highwayrobbery [dot] net, visitors got between 69% and 98.5% of the tickets.)

That percentage is important because, in an area with high turnover, doing nothing but installing cameras will never stop the running; there's always new visitors, making mistakes, being distracted because they are lost. A visitor won't know that there's a camera up ahead, so the presence of a camera won't, by itself, keep him or her from running the light and endangering the other people - mostly local residents, your constituents - who frequent the same intersection.

If a city genuinely wants to minimize running, and accidents, it will do things like the following, to make the problematic intersection stand out, look more important.

1. Put up more visible signal lights (larger diameter, with bigger backboards, with more of them placed on the "near" side of the wider intersections).
2. Paint "signal ahead" on the pavement.
3. Install lighted overhead street signs for the cross street (also placed on the "near" side), and larger bulbs in the streetlights at the intersection.

An example of the "proactive" approach is the engineering work the City of Santa Clarita did during 2014, which dramatically reduced violations there. Details about the changes in Santa Clarita are available at highwayrobbery [dot] net and at [thenewspaper \[dot\] com/news/46/4667 \[dot\] asp](http://thenewspaper.com/news/46/4667) . [2017 update: The best current example of the proactive approach is the City of San Francisco. Their work is discussed in the Candor attachment.]

Then there is the issue of what to do about right turns. The annual report Redflex filed with the Judicial Council on behalf of the City (copy attached) says that in 2014, 58% of the City's tickets were for rolling right turns. Worse, the 2015 jump in overall ticketing suggests that that percentage may be even higher now. I hope you will ask the police for the 2015 percentage of right turns, as there is a growing cloud over heavy right turn enforcement. Consider this remarkable statement found in a Dec. 26, 2014 Wall Street Journal interview of an industry leader:

"Mr. [James] Saunders [then-president of RedFlex, resignation tendered March 23, 2015] suggests jurisdictions refrain from issuing a [rolling right] ticket except when a pedestrian is in the crosswalk." The headline was, "Can the Red-Light Camera Be Saved? - Money-hungry politicians discredit a hopeful safety innovation." (A Jan. 22, 2015 column in the Dallas Morning News confirmed the statement The Journal had attributed to Saunders: "When I asked Redflex spokeswoman Jody Ryan about her boss' comments urging cities to lighten up on rolling reds, she answered, *"It only makes sense that Jim is going to say, 'Look, we need people to be thoughtful about how they are implementing these programs and how they are issuing citations.' It wasn't that shocking."*)

I submit that if the number and severity of accidents caused by right turns is high and has not declined - or is growing - despite years of photo enforcement, the City should study its records to determine when during the red phase most of those accidents occur and then install "blank out" signs programmed to light up and prohibit right turns during the high risk period.

D. Please ask staff, or Redflex, to report to you the average age of those ticketed, broken down by camera location and type of movement (straight, left, or right). Age is of interest because those intersections or movements - where the age of violators is found to be significantly higher probably need to be made more navigable for older drivers. Sometimes it can be as simple as lengthening the yellow light by half a second.

E. A staff report to yourselves will most likely include a letter submitted by Redflex, in which they will discuss the actions the company has taken since it was alleged that the company spent \$2 million to bribe an official in Chicago. But those allegations have been common knowledge for a year. [2017 note: And the former head of Redflex' US operations is in prison.] What is not common knowledge, and in my opinion worse than the outright bribery that may have happened in Chicago, is the extent to which California officials, government employees and their associates have immunized themselves and their families from receiving photo enforcement and toll tickets by exploiting the CVC 1808.4 confidential registration address program. As of 2011, 1.5 million private vehicles in California - about 5% of all registrations - had the confidential registrations, and there are two bills in the legislature right now (AB 222 & SB 372) to extend the privilege to even more people. I would like to suggest that you ask staff how many City employees have the confidential registrations, and also ask the staff of the red light camera program to tell you how they have handled the roughly 600 red light camera tickets earned each year in Montebello by those enjoying confidential registrations. Suggested questions: How many of those tickets were actually issued; how many of them were paid?

Conclusion

During a potential three year extension of the City's camera program, 34,000 tickets could be issued, bearing \$17 million in fines, so this decision is an important one and should not be made in haste. Please schedule a Council hearing about this. And then, if you want to have good input from all sides - which is the way to make an informed decision - please publish the staff report and proposed contract at least two weeks before the hearing date. (If, instead, normal meeting noticing procedures are followed, the staff report and contract will not be made public until the weekend before the Council meeting at which it will be voted upon, leaving the media and general public with little time to report and comment, and the Council with almost no time to read and consider those comments.)

Sincerely,

Jim

Attachments

cc: Media

Subject:Montebello red light cameras - negotiate the rent

Date:Sun, 15 Feb 2015 17:36:24 -0800

From:Jim <jim>

Reply-To:jim

To:jmedrano@cityofmontebello.com, lguzman@cityofmontebello.com

2-15-15

For the City Clerk:

Please distribute this letter to the members of the City Council, and place it on the Council agenda under public comments.

Subject: Upcoming red light camera contract expiration, and the rent

Honorable Mayor and Councilmembers:

Your contract with your camera vendor will expire in May, and I would like to suggest - *assuming you want to continue to run cameras* - that you negotiate hard on the price.

Why?

In the last year, prices have softened, a lot.

Last March the City of Elk Grove, California negotiated this price schedule:

Years in service	Fixed price not to exceed / Designated Intersection Approach per month
0-4.99	\$4696.00
5.0-6.99	\$4196.00
7.0-9.99	\$2000.00
10.0+	\$1500.00

Imaged from Exh. D of Elk Grove's contract, available at highwayrobbery [dot] net.

You've been paying \$2500 for your cameras, but by May all of them will be seven years old, so any renewal deal should be for \$2000 or less, per camera, depending upon the number of years you are extending the program.

You can get more info about the rent that other cities are paying from FAQ # 17 at highwayrobbery [dot] net.

Regards,

Jim