

SOUTH GATE CITY COUNCILREGULAR MEETING AGENDA

Tuesday, September 10, 2013 at 6:30 p.m.

CALL TO ORDER:

Gil Hurtado, Mayor

INVOCATION:

Father Angel Castro, St. Helen Church

PLEDGE OF ALLEGIANCE:

Angela Gibson, External Affairs, AT&T

ROLL CALL:

Carmen Avalos, City Clerk

MAYOR

CITY CLERK

Gil Hurtado

Carmen Avalos

VICE MAYOR

CITY TREASURER

Henry C. Gonzalez

Maria Belen Bernal

COUNCIL MEMBERS

CITY MANAGER

Jorge Morales Maria Davila Michael Flad

W.H. De Witt

CITY ATTORNEY

Raul F. Salinas

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office 8650 California Avenue, South Gate, California 90280

(323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org

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SEP 3 -2013

City of South Gate
CITY COUNCIL

Item No. 10

CITY OF SOUTH GATE OFFICE OF THE CITY MANAGER 5:50 pm

R AGENDA BILL
For the Regular Meeting of: September 10, 201

Originating Department: Police

City Manager:

Department Head: Consall James

Pandall Davis

Michael Flad

SUBJECT: AMENDMENT NO. 2 TO CONTRACT NO. 2479 REDFLEX TRAFFIC SYSTEMS, INC FOR PHOTO RED LIGHT ENFORCMENT PROGRAM

ACTIONS:

- a. Approve Amendment No. 2 to Contract No. 2479 with Redflex Traffic Systems, Inc. ("Redflex") to provide Photo Red Light Enforcement Program; and
- b. Authorize the Mayor to execute Amendment No. 2 in a form acceptable by the City Attorney.

FISCAL IMPACT: The gross revenue from the Redflex program for fiscal year 2012-13 was \$442,083.02. The maintenance and personnel cost for the Redflex program for fiscal year 2012-13 was \$411,480.49, resulting in a net revenue of \$30,602.53. The minimum projected gross revenue from the Redflex program for fiscal year 2013-14 is estimated to match the previous year's revenue of \$442,083.02. The reduced maintenance cost and personnel cost for fiscal year 2013-14 are projected to be \$336,319.20, resulting in a net revenue of \$75,763.82 for fiscal year 2013-14.

REPORT SUMMARY: Redflex has been providing the services of photo red light enforcement to the City since September 27, 2003. The current agreement with Redflex was effective August 26, 2010 and ended August 26, 2013. The services continue on a month-to-month basis pending approval of the new agreement. The current agreement with Redflex monitors 14 approaches. The City is currently being charged for 12 approaches at the rate of \$2,800 per approach. The amended agreement provides for the same rate per approach; however, we are being charged for only 10 approaches as opposed to twelve which translates to an additional savings of \$5,600 per month (\$67,200 annually).

Redflex has requested the City agree to a three year amendment agreement; however, the Police Department recommends a renewal of a one-year agreement at the new decreased amount.

ATTACHMENTS:

- A. Proposed Amendment No. 2
- B. Automated Traffic Enforcement Staff Report
- C. Amendment No. 1 to Contract No. 2479
- D. Contract No. 2479

AMENDMENT NO. 2 TO CONTRACT NO. 2479, EXCLUSIVE AGREEMENT BETWEEN CITY OF SOUTH GATE AND REDFLEX TRAFFIC SYSTEMS, INC. FOR PHOTO RED LIGHT ENFORCEMENT PROGRAM

This Amendment No. 2 ("Amendment") to Contract No. 2479, the Exclusive Agreement ("Agreement"), Between City of South Gate ("City" or "Customer") and Redflex Traffic Systems, Inc. ("Redflex") for Photo Red Light Enforcement Program ("the Red Light Program") is hereby made between City and Redflex and is deemed effective as of September 10, 2013. (City and Redflex are collectively referred to herein as the "Parties" and individually as a "Party").

RECITALS

WHEREAS, Redflex has exclusive knowledge, possession and ownership of certain equipment, licenses, applications, and citation processes related to digital photo red light enforcement systems; and

WHEREAS, the City desires to continue to engage the services of Redflex to provide certain equipment, processes and back office services so that Authorized Employees of the City are able to monitor, identify and enforce red light running violations; and

WHEREAS, it is a mutual objective of both Redflex and the City to reduce the incidence of vehicle collisions at the traffic intersections and city streets that will be monitored pursuant to the terms of this Amendment and Agreement related thereto; and

WHEREAS, City and Redflex desire to amend the Exclusive Agreement between the City of South Gate and Redflex Traffic Systems, Inc., Amendment No. 1 to Agreement No. 2479, originally entered into on or about November 1, 2010 for a Red Light Photo Enforcement Program; and

WHEREAS, the Parties have agreed to a 1-year extension of the Agreement, from August 26, 2013 to and including August 26, 2014;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and for other valuable consideration received, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AMENDED TERMS AND CONDITIONS

- 1. <u>Enforceability of Non-Amended Terms and Conditions</u>. Except as expressly amended in writing in this Amendment, the terms and conditions of the Exclusive Agreement between the City of South Gate and Redflex Traffic Systems, Inc., Agreement No. 2479, originally entered into on or about August 26, 2008 for a Red Light Photo Enforcement Program and any and all amendments, attachments and exhibits attached thereto and incorporated herewith by reference, including Amendment No. 1 thereto, shall be unchanged and shall remain enforceable and in full force and effect.
- 2. <u>Term.</u> The "<u>Term</u>" of the Agreement, as provided in Section 2 thereof, is hereby extended from August 26, 2013, through and including August 26, 2014.

- 3. <u>Pricing and Compensation</u>. The "Tier 2" Fixed Fee rate approved in Amendment No 1 to the original contract in the amount of \$2,800.00 per system, per month, shall continue in effect. Redflex agrees to charge the City for 10 systems, although 12 systems will be functioning. In essence, Redflex will provide 2 systems free of charge and 10 systems at a cost of \$2,800.00 per system, per month.
- 4. Relationship between Redflex and the City. Nothing in this Amendment, Amendment No. 1, or the Agreement shall create, or be deemed to create, a partnership, joint venture and/or the relationship of principal and agent and/or employer and employee between the Parties. The relationship between the Parties shall be that of independent contractors, and nothing contained herein shall permit, authorize, sanction and/or allow, at any time, either Party to incur any debts and/or liabilities on behalf of the other Party.
- 5. <u>Construction</u>. The Amendment shall be construed as having been fully and completely negotiated between and among the Parties hereto and shall not be construed more strictly against either Party.
- 6. <u>Headings</u>. The captions, titles, paragraph headings used in this Amendment are for convenience only, and are not a part of this Amendment, and shall not be deemed relevant in construing and/or interpreting this Amendment.
- 7. **Execution and Counterparts.** This Amendment may be signed in counterparts, and each counterpart shall be deemed an original, but all of which shall constitute one and the same instrument. The Parties agree that such counterpart shall be effective and enforceable on or about the date of the last required signature.
- 8. <u>Covenant of Further Assurances</u>. All Parties to this Amendment shall take, undertake, approve, sanction, and perform, in full, any and all acts and activities and execute and deliver any and all certificates, documents, permits, licenses, agreements, contracts, written instruments and other papers deemed necessary and appropriate for successful and complete compliance with each and every term and condition of this Amendment.
- 9. <u>Binding Effect</u>. This Amendment shall inure to the benefit of and be binding upon the assigns and successors of the respective Parties.

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~ Signature Page ~

AMENDMENT NO. 2 TO CONTRACT NO. 2479, EXCLUSIVE AGREEMENT BETWEEN CITY OF SOUTH GATE AND REDFLEX TRAFFIC SYSTEMS, INC. FOR PHOTO RED LIGHT ENFORCEMENT PROGRAM

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment as set forth below.

Dated:	September, 2013
By:	James A. Saunders, President/Chief Executive Officer
FOR T	THE CITY OF SOUTH GATE:
Dated:	September, 2013
By:	Gil Hurtado, Mayor
ATTE	ST:
By:	Carmen Avalos, City Clerk
APPR	OVED AS TO FORM:
By:	Raul F. Salinas, City Attorney

FOR REDFLEX TRAFFIC SYSTEMS, INC.:



South Gate Police Department Traffic Bureau Staff Report

DATE: August 28, 2013

TO: City Manager Michael Flad

FROM: Chief Randall Davis

SUBJECT: Automated Traffic Enforcement Staff Report

INTRODUCTION

Research has been completed commencing with January 1, 2007 thru May 31, 2013, in regards to intersections throughout the City of South Gate which use an automated traffic enforcement system to capture violations of motorists failing to stop for red lights. Areas that will be covered include the amount of collisions that occurred at the monitored intersections, as well as the total number of accidents at other intersections that experience a similar volume of traffic.

Included will also be an annual report on the number of automated citations that were issued, versus the amount that were actually processed.

BACKGROUND

The City of South Gate has a total of seven intersections that use an automated traffic enforcement system to monitor red light violations. Each intersection has a total of two approaches that are monitored. The maintenance cost is \$2,800 per approach for 12 approaches and two are maintained at no cost resulting in a monthly cost of 33,600. The City is not currently being billed for the approaches at Atlantic Ave and Firestone Blvd due to the road project.

The following intersections are equipped with red light cameras:

- 1. Atlantic Ave. / Tweedy Blvd.
- 2. California Ave. / Tweedy Blvd.
- 3. Firestone Blvd. / Atlantic Ave.
- 4. Firestone Blvd. / California Ave.
- 5. Firestone Blvd. / Garfield Ave.
- 6. Garfield Ave. / Southern Ave.
- 7. Imperial Hwy. / Garfield Ave.

Camera/Video System

There are two parallel sensors placed in each monitored lane prior to the crosswalk. When the signal turns red and a violator travels over both sensors at a minimum of 15 mph, the cameras are activated. Four still photos are taken which always include one of the driver's face, one of the rear license plate, one showing the vehicle prior to entering the intersection facing a red signal, and one of the vehicle in the intersection with the signal still red. There are also twelve seconds of video that depict the violation. The video captures the vehicle six seconds prior to the vehicle crossing the limit line and six seconds after.

TOTAL COLLISIONS vs. COLLISIONS w/ a RED LIGHT PCF (City-Wide)

January - May 31st 2013

Total: 424/17 of which were caused by someone failing to stop for a red light

<u> 2012</u>

Total: 1,069/34 of which were caused by someone failing to stop for a red light.

2011

Total: 1,035/38 of which were caused by someone failing to stop for a red light.

2010

Total: 1,091/33 of which were caused by someone failing to stop for a red light.

2009

Total: 1,184/25 of which were caused by someone failing to stop for a red light.

2008

Total: 1,236/41 of which were caused by someone failing to stop for a red light.

<u>2007</u>

Total: 1,358/50 of which were caused by someone failing to stop for a red light.

COLLISIONS AT MONITORED INTERSECTIONS

Atlantic Ave. / Tweedy Blvd.

1/13 to 5/13: 4 2012: 10 2011: 7 2010: 6 2009: 8

2008: 5 2007: 12

California Ave. / Tweedy Blvd.

1/13 to 5/13: 4 2012: 16

2011: 11 2010: 14

2009: 9

2008: 16 2007: 14

Firestone Blvd. / Atlantic Ave.

1/13 to 5/13: 9

2012: 26

2011: 33

2010: 16

2009: 20 2008: 33

2007: 27

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Firestone Blvd. / California Ave.
1/13 to 5/13:
             10
2012:
              11
              9
2011:
2010:
              16
2009:
              13
2008:
              8
              25
2007:
Firestone Blvd. / Garfield Ave.
1/13 to 5/13:
             18
2012:
              36
              39
2011:
2010:
              34
              39
2009:
2008:
              56
2007:
              46
Garfield Ave. / Southern Ave.
1/13 to 5/13:
              2
              7
2012:
              6
2011:
              7
2010:
2009:
              8
2008:
              9
              6
2007:
Garfield Ave. / Imperial Hwy.
1/13 TO 5/13: 11
2012:
              16
              12
2011:
              9
2010:
2009:
              13
2008:
              17
2007:
              21
COLLISIONS AT UNMONITORED INTERSECTIONS WITH A SIMILAR VOLUME
OF TRAFFIC
Firestone Blvd. / Santa Fe Ave.
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1/13-5/13:

2012:

2011:

2010:

2009:

2008:

2007:

3

11

14

20

13

14

18

Firestone Blvd. / Long Beach Blvd.

1/13-5/13:	5
2012:	13
2011:	18
2010:	14
2009:	11
2008:	10
2007:	20

Firestone Blvd. / State St.

1/13-5/13:	8
2012:	13
2011:	9
2010:	12
2009:	11
2008:	11
2007:	11

Firestone Blvd. / Otis St.

1/13-5/13:	6
2012:	9
2011:	12
2010:	13
2009:	15
2008:	16
2007:	16

SUMMARY OF TOTAL RED LIGHT CAMERA VIOLATIONS

NOTE: Aside from equipment malfunctions, there are 15 factors that can warrant a dismissal prior to the citation being processed. Citations can be dismissed by either Redflex or the officer reviewing the violation. The top five reasons for dismissal include safe turn on red, sun glare, driver obstruction, emergency vehicle or paper plates.

From January 1, 2013 to May 31, 2013, a total of 8,226 violations were captured by the automated enforcement system. After review, 4,834 were available for prosecution.

January:	Total Violations	1,334
	Available for Prosecution	682
February:	Total Violations	1,463
	Available for Prosecution	737
March:	Total Violations	1,918
	Available for Prosecution	1,174
April:	Total Violations	1,703
_	Available for Prosecution	1,097
May:	Total Violations	1,808
-	Available for Prosecution	1,144

From January 1, 2012 to December 31, 2012, a total of 21,338 violations were captured by the automated enforcement system. After review, 11,082 were available for prosecution.

January:	Total Violations	1,670
	Available for Prosecution	858
February:	Total Violations	1,726
,	Available for Prosecution	891
March:	Total Violations	2,029
	Available for Prosecution	1,208
April:	Total Violations	2,055
•	Available for Prosecution	1,251
May:	Total Violations	2,368
· ·	Available for Prosecution	1,428
June:	Total Violations	2,229
	Available for Prosecution	1,274
July:	Total Violations	1,716
·	Available for Prosecution	894
August:	Total Violations	1,785
6	Available for Prosecution	724
September:	Total Violations	1,522
•	Available for Prosecution	635
October:	Total Violations	1,464
	Available for Prosecution	664
November:	Total Violations	1,445
	Available for Prosecution	679
December:	Total Violations	1,329
	Available for Prosecution	576

In 2011, a total of 20,172 violations were captured and 9,490 were available for prosecution.

January:	Total Violations	1,307
•	Available for Prosecution	683
February:	Total Violations	1,214
·	Available for Prosecution	620
March:	Total Violations	1,431
	Available for Prosecution	738
April:	Total Violations	1,411
•	Available for Prosecution	708
May:	Total Violations	1,598
•	Available for Prosecution	780
June:	Total Violations	1,521
	Available for Prosecution	753
July:	Total Violations	1,700
•	Available for Prosecution	658
August:	Total Violations	2,095
, and the second	Available for Prosecution	885
September:	Total Violations	1,802
•	Available for Prosecution	684
October:	Total Violations	2,584
	Available for Prosecution	1,257

November:	Total Violations	1,760
	Available for Prosecution	877
December:	Total Violations	1,749
	Available for Prosecution	847

In 2010, a total of 17,479 violations were captured by the automated enforcement system. After review, 9,412 were available for prosecution.

January:	Total Violations	1,211
-	Available for Prosecution	662
February:	Total Violations	1,163
-	Available for Prosecution	656
March:	Total Violations	1,420
	Available for Prosecution	776
April:	Total Violations	1,457
	Available for Prosecution	732
May:	Total Violations	1,581
	Available for Prosecution	815
June:	Total Violations	1,548
	Available for Prosecution	719
July:	Total Violations	1,336
	Available for Prosecution	650
August:	Total Violations	1,252
	Available for Prosecution	593
September:	Total Violations	2,014
	Available for Prosecution	1,266
October:	Total Violations 1,620	
	Available for Prosecution	963
November:	Total Violations	1,524
	Available for Prosecution	844
December:	Total Violations	1,353
	Available for Prosecution	736

In 2009, a total of 22,015 violations were captured by the automated enforcement system. After review, 9,476 were available for prosecution.

January:	Total Violations	1,728
	Available for Prosecution	772
February:	Total Violations	1,845
	Available for Prosecution	784
March:	Total Violations	2,041
	Available for Prosecution	797
April:	Total Violations	2,005
	Available for Prosecution	754
May:	Total Violations	1,738
	Available for Prosecution	726
June:	Total Violations	1,796
	Available for Prosecution	678
July:	Total Violations	1,965
	Available for Prosecution	720

August:	Total Violations	2,083
	Available for Prosecution	916
September:	Total Violations	1,687
-	Available for Prosecution	758
October:	Total Violations	1,849
	Available for Prosecution	889
November:	Total Violations	1,780
	Available for Prosecution	880
December:	Total Violations	1,498
	Available for Prosecution	802

In 2008, a total of 25,365 violations were captured by the automated enforcement system. After review, 10,260 were available for prosecution.

January:	Total Violations	1,837
·	Available for Prosecution	722
February:	Total Violations	2,494
•	Available for Prosecution	965
March:	Total Violations	2,432
	Available for Prosecution	1,156
April:	Total Violations	2,417
_	Available for Prosecution	1,022
May:	Total Violations	2,433
	Available for Prosecution	1,023
June:	Total Violations	2,115
	Available for Prosecution	813
July:	Total Violations	2,213
	Available for Prosecution	840
August:	Total Violations	2,092
	Available for Prosecution	747
September:	Total Violations	1,825
	Available for Prosecution	711
October:	Total Violations	1,991
	Available for Prosecution	823
November:	Total Violations	1,729
	Available for Prosecution	751
December:	Total Violations	1,787
	Available for Prosecution	687

In 2007, a total of 32,091 violations were captured by the automated enforcement system. After review, 13,563 were available for prosecution.

January:	Total Violations	2,473
	Available for Prosecution	1,295
February:	Total Violations	2,536
•	Available for Prosecution	1,420
March:	Total Violations	3,066
	Available for Prosecution	1,463
April:	Total Violations	3,193
•	Available for Prosecution	1,401

Total Violations	3,031
Available for Prosecution	1,183
Total Violations	3,006
Available for Prosecution	1,007
Total Violations	3,041
Available for Prosecution	1,337
Total Violations	2,874
Available for Prosecution	1,244
Total Violations	2,652
Available for Prosecution	862
Total Violations	2,364
Available for Prosecution	868
Total Violations	1,889
Available for Prosecution	791
Total Violations	1,966
Available for Prosecution	692
	Available for Prosecution Total Violations

CITATION ACTIVITY BY OFFICERS

January - May 31, 2013

TOTAL CITES ISSUED BY OFFICERS: 1,396 RED LIGHT VIOLATIONS: 70

2012

TOTAL CITES ISSUED BY OFFICERS: 5,009 RED LIGHT VIOLATIONS:

TOTAL CITES ISSUED BY OFFICERS: 5,454 RED LIGHT VIOLATIONS:

2010

TOTAL CITES ISSUED BY OFFICERS: 7,201 RED LIGHT VIOLATIONS:

2009

TOTAL CITES ISSUED BY OFFICERS: 9,623 **RED LIGHT VIOLATIONS: 171**

2008

TOTAL CITES ISSUED BY OFFICERS: 11,858 RED LIGHT VIOLATIONS:

2007

TOTAL CITES ISSUED BY OFFICERS: 13,525 RED LIGHT VIOLATIONS:

Fatal Collisions

Jan-May 31, 2013	0
2012	0
2011	5
2010	1
2009	1
2008	5
2007	4

Revenue and Costs Associated with Program

	12/13 Revenue Maintenance Expenses)		Personnel Costs		Revenue	(After
June 2013	\$37,032.86	\$30,800.00	\$2,526.60	\$3706.26		
May 2013	\$37,046.02	\$30,800.00	\$2,526.60	\$3719.42		
April 2013	\$35,677.21	\$30,800.00	\$2,526.60	\$2350.61		
March 2013	\$35,179.46	\$30,800.00	\$2,526.60	\$1,852.86		
Feb. 2013	\$33,559.62	\$30,800.00	\$2,526.60	\$233.02		
January 2013	\$37,078.58	\$30,800.00	\$2,526.60	\$3,751.98		
Dec. 2012	\$31,121.60	\$30,800.00	\$2,526.60	-\$2,205.00		
Nov. 2012	\$33,880.98	\$31,161.29	\$2,526.60	\$193.09		
October 2012	\$39,718.04	\$33,600.00	\$2,526.60	\$3591.44		
Sept. 2012	\$36,534.72	\$33,600.00	\$2,526.60	\$408.12		
August 2012	\$42,013.92	\$33,600.00	\$2,526.60	\$5887.32		
July 2012	\$43,240.01	\$33,600.00	\$2,526.60	\$7,113.41		
	+ ,	·,	. ,	\$30,602.52	2	

Personnel costs were broken down as follows:

- 1-Sergeant at three (3) hours a week
- 1-Officer at five (5) hours per week
- 1-Part-time Officer at three (3) hours per week
- 1-Community Service Officer at three (3) hours per week
- 1-Hourly Traffic Clerk at six (6) hours per week

Recommendations:

Staff recommendation is to renew the contract for one year through the current fiscal year (13/14). The proposal by Redflex to decrease the monthly service charged on two (2) approaches would translate to a reduction in maintenance cost for the program in the amount of \$67,200.